

Benjamin B. Gorman to be postmaster at Coldwater, in the county of Branch and State of Michigan.

Elmer W. Hall to be postmaster at Lawton, in the county of Van Buren and State of Michigan.

Otto H. Mueller to be postmaster at Rockland, in the county of Ontonagon and State of Michigan.

Frank E. Priddy to be postmaster at Adrian, in the county of Lenawee and State of Michigan.

William C. Spreen to be postmaster at Watervliet, in the county of Berrien and State of Michigan.

MINNESOTA.

Brayton S. Buckingham to be postmaster at Argyle, in the county of Marshall and State of Minnesota.

Ida Erickson to be postmaster at Canby, in the county of Yellow Medicine and State of Minnesota.

Josie Forde to be postmaster at Graceville, in the county of Bigstone and State of Minnesota.

Dennis F. McGrath to be postmaster at Barnesville, in the county of Clay and State of Minnesota.

H. H. Neuenburg to be postmaster at Olivia, in the county of Renville and State of Minnesota.

John Schmelz to be postmaster at Springfield, in the county of Brown and State of Minnesota.

Ole A. Thoreson to be postmaster at East Grand Forks, in the county of Polk and State of Minnesota.

Edwin E. Tuttle to be postmaster at Hastings, in the county of Dakota and State of Minnesota.

MISSOURI.

Frank M. Filson to be postmaster at Cameron, in the county of Clinton and State of Missouri.

Theodore N. McHaney, to be postmaster at Kennett, in the county of Dunklin and State of Missouri.

Oliver W. Neff to be postmaster at Nevada, in the county of Vernon and State of Missouri.

Robert C. Rhodes to be postmaster at Seymour, in the county of Webster and State of Missouri.

Enoch T. Stark to be postmaster at Huntsville, in the county of Randolph and State of Missouri.

Walter F. Thompson to be postmaster at Plattsburg, in the county of Clinton and State of Missouri.

NEBRASKA.

William P. Freeman to be postmaster at Auburn, in the county of Nemaha and State of Nebraska.

Carl Kramer to be postmaster at Columbus, in the county of Platte and State of Nebraska.

Jehiel H. Secor to be postmaster at Madison, in the county of Madison and State of Nebraska.

Charles H. Snider to be postmaster at Tilden, in the county of Madison and State of Nebraska.

Dennis Tracy to be postmaster at Cedar Rapids, in the county of Boone and State of Nebraska.

NEW HAMPSHIRE.

Alfred E. Bean to be postmaster at Berlin, in the county of Coos and State of New Hampshire.

Albert Clement to be postmaster at Antrim, in the county of Hillsboro and State of New Hampshire.

John H. Henry to be postmaster at Lincoln, in the county of Grafton and State of New Hampshire.

Eri Oakes to be postmaster at Lisbon, in the county of Grafton and State of New Hampshire.

William H. Small to be postmaster at New Market, in the county of Rockingham and State of New Hampshire.

NEW YORK.

Robert C. Bailey to be postmaster at Schoharie, in the county of Schoharie and State of New York.

William L. Crothers to be postmaster at Phelps, in the county of Ontario and State of New York.

Melvin J. Stearns to be postmaster at Massena, in the county of St. Lawrence and State of New York.

George Tremper to be postmaster at Rhinebeck, in the county of Dutchess and State of New York.

Abram R. Wyckoff to be postmaster at Geneva, in the county of Ontario and State of New York.

OKLAHOMA.

John J. Burke to be postmaster at Norman, in the county of Cleveland and Territory of Oklahoma.

PENNSYLVANIA.

Harry H. Hawkins to be postmaster at Spring Forge, in the county of York and State of Pennsylvania.

Starling W. Waters to be postmaster at Warren, in the county of Warren and State of Pennsylvania.

W. Day Wilson to be postmaster at Clarion, in the county of Clarion and State of Pennsylvania.

TEXAS.

Sallie E. Brooks to be postmaster at Bastrop, in the county of Bastrop and State of Texas.

Henry M. Carson to be postmaster at Pilot Point, in the county of Denton and State of Texas.

Augustus S. Davis to be postmaster at McGregor, in the county of McLennan and State of Texas.

W. James Gilmore to be postmaster at Moody, in the county of McLennan and State of Texas.

Walter A. Hill to be postmaster at Phenix, in the county of Kent and State of Rhode Island.

Effie L. Houghton to be postmaster at Memphis, in the county of Hall and State of Texas.

M. B. Howard to be postmaster at Sweet Water, in the county of Nolan and State of Texas.

August F. Loessin to be postmaster at La Grange, in the county of Fayette and State of Texas.

J. F. McCarty to be postmaster at Comanche, in the county of Comanche and State of Texas.

Mary W. Morrow to be postmaster at Abilene, in the county of Taylor and State of Texas.

Charles O. Nelson to be postmaster at Clifton, in the county of Bosque and State of Texas.

Edmund F. Seydler to be postmaster at Weimar, in the county of Colorado and State of Texas.

Frank K. Sterrett to be postmaster at Albany, in the county of Shackelford and State of Texas.

VERMONT.

Raymond C. Ransom to be postmaster at Castleton, in the county of Rutland and State of Vermont.

WASHINGTON.

Joseph W. King to be postmaster at Asotin, in the county of Asotin and State of Washington.

WEST VIRGINIA.

James S. Posten to be postmaster at Elkins, in the county of Randolph and State of West Virginia.

Henry J. Rudkin to be postmaster at Burnsville, in the county of Braxton and State of West Virginia.

Robert B. Watson to be postmaster at Cameron, in the county of Marshall and State of West Virginia.

WISCONSIN.

George Luecker to be postmaster at Brillion, in the county of Calumet and State of Wisconsin.

L. L. Thayer to be postmaster at Bloomer, in the county of Chippewa and State of Wisconsin.

Hugh H. Williams to be postmaster at Randolph, in the county of Dodge and State of Wisconsin.

WYOMING.

William Pugh to be postmaster at Evanston, in the county of Uinta and State of Wyoming.

Perry L. Smith to be postmaster at Rawlins, in the county of Carbon and State of Wyoming.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 23, 1906.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

STATEHOOD BILL.

Mr. HAMILTON. Mr. Speaker, I am authorized by the Committee on Territories to report favorably the bill H. R. 12707, commonly known as the "statehood bill."

The SPEAKER. The gentleman from Michigan, from the Committee on Territories, reports the following bill, the title of which the Clerk will read.

Mr. HAMILTON. Mr. Speaker, the gentleman from Tennessee [Mr. Moon], of the Committee on Territories, desires to present the views of the minority.

The Clerk read as follows:

A bill (H. R. 12707) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

The SPEAKER. The bill will be referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, printed.

Mr. MOON of Tennessee. Mr. Speaker, by direction of the minority of the Committee on Territories, I present to the House the views of the minority on the statehood bill, and ask that the same be filed and printed with the majority report.

The SPEAKER. The gentleman from Tennessee presents the views of the minority, which will also be printed and referred to the Committee of the Whole House on the state of the Union.

BATTLE MONUMENTS NEAR SANTIAGO, CUBA.

Mr. HULL. Mr. Speaker, I am directed by the Committee on Military Affairs to present the following resolution.
The Clerk read as follows:

House joint resolution 87.

Resolved, etc., That the Secretary of War is authorized to employ the United States Army transport *Sumner* to convey from New York to Santiago de Cuba and return the members of the Santiago Battlefield Commission and the representatives of the President and of the State and War Departments, to enable them to attend the ceremonies to be held at the dedication of the battle monuments at El Caney, Fort San Juan, San Juan Ridge, and San Juan de Mayares Hill, in the immediate vicinity of Santiago de Cuba.

Mr. HULL. I report this resolution by direction of the Committee on Military Affairs, and ask unanimous consent for its present consideration.

Mr. CLARK of Missouri. Mr. Speaker, I should like to inquire of my friend from Iowa if this is a unanimous report.

Mr. HULL. I understood there was one vote against it, but no question was reserved on any points of order or anything looking to an objection.

Mr. CLARK of Missouri. I reserve the right to object.

Mr. HULL. If the gentleman will withhold any objection until he can be fully informed of the object of the resolution, I think he will not then object.

Mr. CLARK of Missouri. I will reserve the right to object.

Mr. HULL. Mr. Speaker, I ask that the letter from the Secretary of War be read.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 22, 1906.

SIR: I respectfully request that the following resolution be introduced and passed by the House of Representatives:

"Resolved, That the Secretary of War is authorized to employ the United States Army transport *Sumner* to convey, from New York to Santiago de Cuba and return, the members of the Santiago battlefield commission and the representatives of the President and of the State and War Departments, to enable them to attend the ceremonies to be held at the dedication of battle monuments at El Caney, Fort San Juan, San Juan Ridge, and San Juan de Mayares Hill, in the immediate vicinity of Santiago de Cuba."

The project has received the sanction and cooperation of the War and State Departments, and the Government of Cuba has presented a number of cannon for use in the construction of the monuments. It has also granted a site for their erection, and will prepare suitable approaches.

The current act of appropriation for sundry civil expenses of the Government contains the following requirement:

"For marking the places where the American soldiers fell and were temporarily interred in Cuba and China, \$9,500, said sum to be immediately available." (Act of March 3, 1905, 33 Stat. L., 1196.)

In a memorandum of instruction furnished by the Secretary of War to the Chief of Staff on May 12, 1905, a committee was appointed and charged with the duty of carrying out the provisions of the enactment above cited, with the proviso that "No mileage or traveling expenses or any other personal expenses incurred by the members of the committees will be charged to this appropriation or any other Government appropriation."

The members of this committee have paid their necessary traveling expenses themselves, and have discharged their duty in Cuba. The marking has been proceeded with so far as to permit the dedicatory exercises to be held on the 14th of February next.

A large amount of material procured out of the funds made available by the clause of the appropriation above cited has been procured by manufacture and can be conveyed to the places in which the monuments are to be erected on the transport *Sumner*, if assigned to this duty.

The Government of Cuba is disposed to make important this commemoration of the various battles in the neighborhood of Santiago. The resolution need not carry any appropriation. If it is passed, the expense can be met out of the general transportation appropriation for the War Department. The *Sumner* is now in New York Harbor. The trip would take from eleven to fourteen days. The additional cost, by reason of this trip, to the Government over and above that now involved in maintaining the transport in New York Harbor would be \$500 a day for not exceeding fourteen days.

I inclose papers showing the action of the army societies of the Spanish war.

Very respectfully, yours,

WM. H. TAFT, Secretary of War.

Hon. JOHN A. T. HULL,

Chairman Committee on Military Affairs,
House of Representatives.

Mr. HULL. Mr. Speaker, I want to say to the House that heretofore the transports have been used in many cases, in my judgment, without any clear authority of law. In this case I suppose the Secretary of War had a right to order it for this proposed trip to Cuba as much as he had a right to order one to Colon or to any point in the West Indies, when not for legitimate Army service. If this resolution is passed it makes no precedent for the future, but it does establish the fact that Congress has entire jurisdiction over the use of the transports for anything outside of their legitimate use as transports of the Army for military purposes. This is a great occasion between the

Government of Cuba and the Government of the United States. On many occasions not as important as this the Government has ordered war ships to do this service at an immensely increased cost, and it seems to me, in view of all the facts surrounding these great dedicatory exercises in Cuba, in view of the fact of the close relation between the Government of the United States and the Government of Cuba, in view of the fact that our soldiers' graves are the ones to be honored on this occasion and the valor of American troops exalted, that the House and the Senate should by a unanimous vote, without an objecting voice, grant the transport *Sumner* for the uses asked for by the President and the Secretary of War on this occasion, and I hope no objection will be made.

Mr. FITZGERALD. I desire to know if the gentleman does not think that some limitation should be fixed upon the expense of this trip in this resolution?

Mr. HULL. I will say that the limitation is stated by the Secretary of War not to exceed \$500 a day, and I will say further that all parties going on the transport pay for their subsistence. There is no expense to the Government for subsistence at all. Everyone traveling on the transport, except officers of the ship and enlisted men of the Army, is compelled to pay for the entire cost of his meals.

Mr. FITZGERALD. I doubt whether the gentleman—

Mr. HULL. And the entire length of time will not exceed fourteen days and may fall under that.

Mr. FITZGERALD. I doubt whether the gentleman understood what I asked. I asked whether this resolution should not fix the limit. The Secretary of War says that, in his opinion, it will cost about \$500 a day; but I suggest that that is no limitation upon the amount that can be expended.

Mr. HULL. I will say to the gentleman, Mr. Speaker, that if the resolution is considered now and any Member of this House believes that an amendment should be adopted providing that the total expense shall not exceed \$7,000 I shall raise no objection to that amendment.

Mr. FITZGERALD. I would suggest \$10,000. I only want a reasonable limit fixed.

Mr. HULL. I would take the Secretary at his word, where he says it will not exceed \$500 a day for fourteen days, and that is \$7,000.

Mr. SULZER. Mr. Speaker, it is only necessary, in my opinion, to say a word or so about the resolution asked to be passed by the Secretary of War. It should pass at once, and I trust there will be no objection to it. The letter of the Secretary of War gives the reasons why it should pass. It seems to me that it is a truly patriotic thing for this Government to participate in the ceremonies to be held to mark the graves of the American soldiers who fell in Cuba in the war between Spain and the United States, and to send this transport, now lying in New York Harbor at an expense to the Government, down to Santiago to participate in these commendable ceremonies. I believe this transport should be sent to Cuba for this purpose. The expense will be very small, simply the difference between keeping the fires of the transport up in New York Harbor and the additional coal that will be burned in having the transport go out on the ocean and down to Cuba. It will only require ten or fourteen days to make the trip, and the purpose is patriotic and praiseworthy. It is a small matter, too small for anybody to object to, and I hope there will be no opposition to the immediate adoption of the resolution.

I agree with all the Secretary of War has said in regard to this matter, and I hope this resolution will pass, and that this transport will be sent down there to participate in the proceedings inaugurated by Cuba and the United States relative to the marking of the graves of the brave and heroic soldiers who fell in the battle of Santiago. [Applause.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL. Now, Mr. Speaker, in accordance with the suggestion of the gentleman from New York [Mr. FITZGERALD], I offer an amendment providing that the total additional expense shall not exceed \$7,000.

Mr. FITZGERALD. Mr. Speaker, I suggest to the gentleman from Iowa that we give them a little leeway, because there might be something unforeseen, the steamer might be delayed.

Mr. HULL. Make it \$10,000 additional expense.

The SPEAKER. The Clerk will read the amendment.

The Clerk read as follows:

Add at the end of the resolution: "Provided, That the total additional expense shall not exceed \$10,000."

Mr. SULZER. Mr. Speaker, I do not care to object to the proposed amendment, but I do not think this resolution should have this limitation put upon it, and I hope for one that it will be voted down. We can trust our distinguished Secretary of

War in the matter. The steamer might be delayed in a storm or might be compelled by stress of weather to go to some other port. I am willing to take the assurance of the Secretary of War about the matter instead of adopting this suspicious amendment. I hate to be always fearful that some one is going to do something he should not do. I feel confident that not one cent more than is absolutely necessary will be expended. This is not to be a junketing trip, but a patriotic performance of a sacred duty.

Mr. FITZGERALD. Mr. Speaker, I wish to say a word. I thoroughly disagree with my colleague. I believe when an appropriation is proper for any purpose Congress should fix some limitation upon the amount which the executive officer shall expend. The Secretary of War says it will not take more than fourteen days, and allowing \$500 a day for fourteen days the expense would be \$7,000. We increase the limit to \$10,000, which gives a leeway of six days. No possible contingency, except a shipwreck, could delay this boat more than six days. If there should be a serious breakdown they could easily get permission to expend additional money. But I am opposed to unlimited appropriations for any purpose, and I hope the amendment will be adopted.

Mr. SULZER. Mr. Speaker, that is all very fine as a general proposition, but I wish to ask the gentleman from New York if he can not take the assurance in this matter of the Secretary of War?

Mr. FITZGERALD. Mr. Speaker, I believe we are under obligations to perform our duty in accordance with the law and not to accept anybody's word as to how much money we should appropriate. We should decide that for ourselves. I am ready to assume my responsibility and act in that way.

Mr. HULL. Mr. Speaker, I move the previous question on the joint resolution and amendment.

The previous question was ordered.

The SPEAKER. The question is on the amendment to the joint resolution.

The question was taken; and on a division (demanded by Mr. JAMES) there were—ayes 134, noes 32.

So the amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

URGENT DEFICIENCY BILL.

Mr. LITTAUER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12320—the urgent deficiency bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill, with Mr. SHERMAN in the chair.

The Clerk, proceeding with the reading of the bill, read as follows:

THE ISTHMIAN CANAL.

To continue the construction of the Isthmian Canal, to be expended under the direction of the President in accordance with an act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902, as follows:

For miscellaneous material purchases in the United States, \$1,000,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Page 15, lines 1 and 2, strike out the words "in the United States" and insert in lieu thereof "elsewhere than on the Isthmus of Panama," so that it will read:

"For miscellaneous material purchases elsewhere than on the Isthmus of Panama."

Mr. FITZGERALD. Mr. Chairman, I wish to call attention of the committee to the fact that this appropriation is made available for expenditure only in the United States. The language, I believe, was used inadvertently, without realizing what its significance would be. Everybody recollects that some months ago the Secretary of War announced that he would purchase materials for the Panama Canal wherever they could be purchased cheapest. In submitting his estimates and requests for these appropriations it was contended that certain purchases should be made on the Isthmus and certain other purchases should not be made on the Isthmus. In order to distinguish the appropriations the language in the bill was used, but if it be continued in the bill in its present shape it will be impossible for the Secretary of War to take advantage of the cheapest markets for the purchase of these particular supplies. In order that there may be no restriction on his power, in order

that he may go into the market where he can purchase cheapest, this change of language should be made and the money available should be expended in any place except on the Isthmus. This will give him that opportunity.

Mr. DE ARMOND rose.

The CHAIRMAN. The gentleman from Missouri [Mr. DE ARMOND] is recognized in opposition to the amendment.

Mr. DE ARMOND. Mr. Chairman, I did not rise to oppose the amendment, but to make some observations upon the general subject and to ask for some information. I recollect that last spring, or early last summer, there was a good deal in the newspapers about an official decision to purchase wherever articles could be bought the cheapest. For a week or two, or perhaps a little more—for a very short period of time, at all events—there was considerable comment upon the subject in the public press of the country, and then a deep and profound silence ensued. Now, I would like right well to know something about where we have been buying things, something about whether we have been buying them at the best prices or whether we have been buying them at prices unreasonably high. How much have we bought abroad? How much have we bought at home? Have American manufacturers met the competition of foreigners and supplied such things as we need as cheaply as the foreigners are willing to do? Have they failed to meet that competition? If so, have we then bought from foreigners at cheaper rates or from Americans at higher rates? I do not know how this is, and I suppose the public does not know how it is. I am one of those who believe that the United States in carrying forward a great work like this, necessarily a very costly work, ought to do what a sensible man would do in the conduct of his own business; that is, buy what he needs where he can buy it the cheapest and to the best advantage. I believe that American manufacturers can supply what is needed down there just as cheaply as foreigners, but I believe that they will not do it unless they are sure that unless they do foreigners will supply the articles and they will lose the market. We have been in the habit of encouraging American manufacturers and permitting them and enabling them and inviting them to charge the Americans more than they charge foreigners. Now, when we come to a great undertaking like this the Government can not afford it; it is immoral and wrong and wasteful of the people's money for the Government to invest in American supplies unless they are furnished as cheaply as supplies equally good and equally adapted to the work can be obtained abroad. Now, I would be very glad to hear from somebody who knows, if there is somebody here who does know—and I presume there is—where we really have been making our purchases; whether we have been making them at competitive prices or whether we have been making them at trust prices; whether we have been buying as cheaply as we could buy or have been buying from favored Americans at such prices as they chose to exact. Instead of being opposed to this amendment, if I get the meaning of it, I am in favor of it.

This paragraph might provide for limiting the purchases to the United States, and of course that would mean purchases in the United States at such prices as may prevail in the United States. In other words, purchases from American manufacturers at American manufacturers' home prices, without any reference to the foreign prices and without any regard for the effect upon the Public Treasury or the people's rights. If this amendment be adopted, there should be no interference with purchases here in the United States, except that those who make the purchases will not be under compulsion to make them without any regard to prices or quality or fitness of the things to be purchased. If this limitation be imposed, it will be a closing against the United States of the foreign markets for the purchase of these things and will be turning over the Treasury of the United States to American manufacturers at their own figures and without competition. To that I am opposed, and to that it seems to me everybody ought to be opposed. Now, I hope, both for my own information and for the information of the general public, that some one who possesses the information will tell us where we have been buying and how we have been buying, whether we have been buying in a competitive market or in the trust market at trust prices. It seems to me these inquiries are pertinent, and I trust they will be frankly answered.

Mr. LITTAUER. Mr. Chairman, purchases under this head have been in nearly all instances made under the submission of proposals with full specifications, advertised throughout the United States, and, where it was believed material could be purchased cheaper, even in foreign countries. I should regret very much to see this additional legislation inserted in this paragraph. The separation between purchases in the United States and purchases at the Isthmus of Panama was made in the bill so

as to control and limit them plainly. The Isthmian Canal Commission have established a purchasing bureau, presided over by a man of great experience and capability in this particular field. They have exhibited to us carefully drawn specimens of their method of submitting proposals with elaborate specifications, advised us that it cost them practically \$100 to \$150 for advertising expense in connection with each contract; that the proposals were published wherever they had any idea that they would meet with consideration, and I can not see what good object can be achieved by legislating in this way in this bill. The purchases will all be made in the United States, or rather the contracts will be made here, whether the goods are produced or manufactured in a foreign country or in the United States.

Mr. FITZGERALD. This amendment does not prevent the expenditure of this money for purchases on the Isthmus.

Mr. LITTAUER. I realize that. The amendment concerns simply the first category in the bill, and is for material purchases in the United States. The purchase will be made here, whether the material comes from abroad or otherwise.

Mr. FITZGERALD. Not necessarily. It appears in the hearings that certain foreign firms have representatives in the United States who, if they desired, might submit bids. Well, if they submitted bids and agreed to deliver from some place in Europe to the Isthmus, then, though the contract was made in the United States, it might be so construed that they were purchases abroad and—

Mr. LITTAUER. I do not so understand it. All purchases will be made either through representatives of foreign firms having their offices here or through the submission of bids under proposals. It is not designed to confine the purchases simply to products of the United States. It is designed to buy whatever is bought from the lowest bidder.

Mr. JAMES. If that is true, what objection have you to inserting the amendment and say they shall expend this million dollars wherever they can expend it the cheapest?

Mr. LITTAUER. That is exactly what they are doing now.

Mr. JAMES. Well, then, what objection have you to making it plain?

Mr. LITTAUER. It simply adds new legislation where it is not required.

Mr. JAMES. It is a very easy matter; it will not take much time to do that.

Mr. FITZGERALD. There never has been any legislation in this language—"for material purchases in the United States"—and this language unquestionably limits—

Mr. LITTAUER. This is the first time we have attempted to make detailed appropriations in connection with this work.

Mr. FITZGERALD. And this language will limit purchases out of the million dollars to the United States.

Mr. LITTAUER. This will limit purchases in the United States, but the purchases can be made here in the United States of material coming from foreign countries.

Mr. FITZGERALD. There was an instance, if the gentleman will permit me, where the Isthmian Canal Commission sent abroad and intended, if they could succeed in doing so, to get contracts for the purchase of certain steamers.

Mr. LITTAUER. Provided they could have obtained steamers better fitted for their work than could be procured here. They found, however, they could not so procure them, and hence bought them in this country.

Mr. FITZGERALD. But if the money available for that purpose had been restricted by this provision, they could not have purchased those steamers on the other side.

Mr. LITTAUER. Oh, not at all.

Mr. MANN. Will the gentleman permit me? The reason the separation is made in these cases is because there are two auditors. How far that will go I will not undertake to say; but there is an auditor on the Isthmus and an auditor here. The auditor on the Isthmus audits the purchases which are made on the Isthmus. The auditor in the United States audits all other purchases, and the purpose of putting some language in there is so that we credit on the books of the different auditors the amount that is proper, and out of those items the audits are made in the two different auditors' offices.

Mr. FITZGERALD. I said I believe this language was used inadvertently. The next item provides for expenditure for purchases on the Isthmus. It was intended that this money should be expended elsewhere than on the Isthmus, and that is the language of the amendment I suggest. The language in the bill at present confines the purchase in the United States, because I say—

The CHAIRMAN. The time of the gentleman has expired.

Mr. JAMES. I ask that the gentleman may have his time extended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York—

Mr. WILLIAMS. I ask unanimous consent that the gentleman's time be extended.

The CHAIRMAN. The Chair did not hear the remark of the gentleman from Mississippi.

Mr. WILLIAMS. I ask unanimous consent that the gentleman from New York may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi? [After a pause.] None is heard.

Mr. LITTAUER. I have no desire to consume any further time unless some one wishes to ask a question.

Mr. FITZGERALD. I wish to state to the gentleman, in the case I have stated, if this language had been in the law controlling the expenditure of the money that was to be used for the purchase of these steamers it would have been impossible for a representative of the Commission to have gone to Liverpool and purchased steamers there under a law that provided that the purchase should be made in the United States.

Mr. LITTAUER. I trust that the gentleman recognizes that we do not want to have traveling purchasing agents going all over the world attempting to make purchases, but that purchases should be made under bids submitted here in Washington and controlled by the chief purchasing agent.

Mr. FITZGERALD. Mr. Chairman, that is not the controlling reason for this language, and the result of it will be to prevent the expenditure of this money in any place except in the United States. I am in favor of giving the Secretary of War or the Isthmian Canal Commission a free hand to purchase in the market that is cheapest, be it in the United States or be it in some other country.

Mr. MANN. I quite agree with the gentleman, but I desire to call his attention to this, which I understand to be the fact: The Commission does purchase more or less from the island of Jamaica, which purchases are audited in the office of the auditor for the Isthmus, and will come out of the appropriation for the purchase of supplies on the Isthmus. Now, whether the language limits the purchase to articles that are on the Isthmus when they are purchased, in the one case, or articles that are in the United States when they are purchased, in the other case, I do not know. I think it ought to be done.

Mr. JAMES. Mr. Chairman, I would like to ask the gentleman from Illinois a question. Were the steam shovels that were purchased for the Isthmus purchased in the open market of the world or in the limited market of the United States?

Mr. MANN. I understand they purchase all of these articles in the open market of the world.

Mr. JAMES. Did they do it in that instance?

Mr. MANN. Yes; they did it in that instance.

Mr. JAMES. In the open market of the world?

Mr. MANN. In the open market of the world. I may say to the gentleman that there is only one manufacturer in the world at present that manufactures the best type of steam shovel, namely, the one which manufactures the Bucyrus steam shovel, in Ohio.

Mr. JAMES. I am not talking about the best type. That might control the purchases of some man, but some other man might think that some other type was the best. The question is whether or not the plows or these other implements were purchased in the United States at the price at which they are sold usually to purchasers of them—whether you went to the open market of the world for bids.

Mr. MANN. Anybody was permitted to bid upon these articles.

Mr. JAMES. Who got the contract?

Mr. MANN. Of course an enterprising citizen of the United States got the contract, and I am sorry that it was not a Kentucky citizen, because in that State enterprise is always supreme.

Mr. JAMES. Was he one of the "trustized" citizens of the United States?

Mr. MANN. Of course the gentleman wants me to make definitions. I will leave that with the gentleman.

Mr. GRAFF. May I ask the gentleman from Illinois a question?

Mr. MANN. If I have any time.

The CHAIRMAN. The gentleman from New York [Mr. LITTAUER] has the time.

Mr. GRAFF. I want to ask the gentleman from Illinois if he knows whether or not the tariff schedules of the United States operate in the Isthmian Zone?

Mr. MANN. The tariff schedules do not operate in the Isthmian Zone. The tariff schedules in the Isthmian Zone are the tariff schedules of the Republic of Panama.

Mr. GRAFF. Then if the purchase was made in the United

States of supplies in England, and they were shipped direct from England to the Zone, tariff would be collected by the Panama Government on those imports?

Mr. MANN. There is no tariff collected on articles sent there for the Isthmian Canal Commission—

Mr. GRAFF. Those are admitted free?

Mr. MANN (continuing). In the construction of the canal.

Mr. GRAFF. On articles admitted for general purposes outside of this enterprise there is imposed a duty by the Panama Government?

Mr. MANN. Yes.

The CHAIRMAN. The time of the gentleman from New York [Mr. LITTAUER] has expired.

Mr. TAWNEY. Mr. Chairman, I trust this amendment will not prevail. I want to say, in answer to the gentleman from Missouri [Mr. DE ARMOND] who asked the question as to how these purchases have been made, how it is proposed to continue purchases in the future, whether by advertising or whether by receiving private bids or private offers, every dollar that has been expended for material and supplies on the Isthmus up to this time, except \$283,000, has been expended for materials and supplies after advertising in all of the principal cities in the United States.

I hold in my hand here a complete statement of all the contracts that have been made since the beginning of the work on the canal under the jurisdiction of the Canal Commission, and for the information of the committee I will read just a few items. Take the item of forage, \$4,808.40, advertised twenty-eight days in the American Elevator and Grain Transactions, Chicago; Grain Dealers' Journal, Chicago; Hay and Grain Reporter, Chicago; Southwestern Grain Journal, Topeka; American Miller, Chicago; Operative Miller, Chicago; Northwestern Miller, Minneapolis; Roller Mill, Buffalo; Millers' Review, Philadelphia, and Dixie Miller, Nashville.

Now, I have another item here for the purchase of an air compressor, at a cost of \$5,900.04, advertised twenty-eight days and the contract let to the lowest bidder. Advertised in the Iron Age, New York; Engineering News, New York; Engineering Record, New York; Metal Worker, New York; Metal Industry, New York; Scientific American, New York; Commercial Bulletin, Boston; Progressive American, Philadelphia; Engineers' Review, Cleveland; Pacific Hardware Journal, San Francisco, and twenty other trade journals.

The advertisements are very short, but they are uniform. Then I have here the specifications furnished to all proposed bidders for these various items. Bearing in mind that every dollar except \$283,000 has been expended in this way and expended under contracts made in different parts of the United States for material, equipment, and supplies, gentlemen will readily see that the purchases have been made in the open and in the open market of the United States. There is no opportunity whatever for combinations or controlling the prices, and in every instance except in the case of the \$283,000 the contracts were made to the lowest responsible bidder, and that \$283,000 was expended upon order of the chairman of the Commission for absolute necessities which they had to have immediately.

Mr. WILLIAMS. I would like to ask the gentleman from Minnesota if he does not think the language in the bill leaves it in doubt as to whether the Government can buy supplies and materials and equipment for the canal in France or Germany or anywhere else except either in the United States or on the Isthmus?

Mr. TAWNEY. I do not think it leaves any doubt at all, Mr. Chairman. I do not think on the particular items mentioned in this paragraph that the Commission could go abroad for the purpose of buying these materials. If material is shipped to the Isthmus from France or England or Germany or any other country, the Commission could buy it; but they would buy it under the paragraph following the one to which the gentleman from New York has offered his amendment.

Mr. WILLIAMS. If the gentleman will indulge me a moment further, I do not think this matter is as important from the standpoint of the actual purchase of the material elsewhere as it is from the standpoint of giving the Government the whip hand, in order to keep it from being combined against and imposed upon by our own people. I believe that the American manufacturers can manufacture all these things, or nearly all of them, cheaper than anybody else, and can sell them cheaper, if they will; but it is of the highest importance that there shall be no doubt about the fact that the Government can, if it will, purchase elsewhere, in order that the knowledge of the fact may make these people state a reasonable price to the Government. But if the gentleman is of the opinion that there is no doubt about the proposition, why of course the Government will still have this whip hand left.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAWNEY. I ask for a few minutes more, to reply to the gentleman from Mississippi.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection? The Chair hears none.

Mr. TAWNEY. When, I say, Mr. Chairman, that the prices paid for the material thus far purchased and the prices that will be paid for materials, machinery, and equipment hereafter purchased, will be purchased in the general competitive market, and when the Commission affords the manufacturers all over the United States engaged in the manufacture of that particular article an opportunity to make an open bid for the furnishing of the material, machinery, or equipment, I can not see how it is possible for the Government to suffer the least or for any combination to secure a higher price for that particular purchase. Now, I will answer the gentleman from Texas.

Mr. GILLESPIE. Will the gentleman inform the House how many bidders there were for any of these contracts, and who they were?

Mr. TAWNEY. I do not know. This paper shows the order, the date, the name of the firm to whom the contract was let, the character of the material, the amount of the cost, the period of advertising, whether the contract was let to the lowest bidder, and the names of the newspapers advertised in. It does not give the number of the bidders, but it does state in every instance that I have observed here in going through this that the contract was let to the lowest bidder, with the exception of \$283,000 for supplies and material that the Commission had to have immediately and could not await the advertising.

Mr. GILLESPIE. Then I understand the gentleman has no information as to how many different bidders offered themselves for any one contract?

Mr. TAWNEY. The testimony before the committee was that there were a great many different bidders and that the bids varied very materially.

Mr. GILLESPIE. American manufacturers have two prices, a home price and a foreign price. For instance, on steel rails there is quite a difference between the price of steel rails for this country and steel rails for Mexico.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAWNEY. I want just a moment more.

Mr. FITZGERALD. I ask that the time of the gentleman be extended five minutes.

The CHAIRMAN. Is there objection to the request that the gentleman's time be extended five minutes?

There was no objection.

Mr. GILLESPIE. For instance, steel rails sell in Canada for \$22 and in Mexico for the same price, and they are \$28 here. Now, using that as a basis, can the gentleman inform me now—

Mr. TAWNEY. Right on that point I will say that of course the Commission is not purchasing a great many steel rails, but the price stated by the Commission to the subcommittee of the Committee on Appropriations was \$26.45 alongside the ship, and \$28 is the price at the mill.

Mr. GILLESPIE. And \$26 over there?

Mr. TAWNEY. Twenty-eight dollars at the mill and \$26.45 for these steel rails at the ship.

Mr. GILLESPIE. Now, is it not a fact that they sell these same steel rails and deliver them in Canada and Mexico for \$22?

Mr. TAWNEY. I do not know anything about what they sell for in Canada or anywhere else. I am talking about the rails purchased by the Canal Commission, for which they paid \$26.45 at the side of the ship, and the price to the American consumer at the mill is \$28; so they are getting them down there for less than they could get them if they were using them here.

Mr. GILLESPIE. Are they getting them for less than these same manufacturers will sell the very same rails to purchasers in Canada or Mexico and deliver them there?

Mr. TAWNEY. That I do not know.

Mr. FITZGERALD. Does not the gentleman believe that these different materials can be purchased in the United States?

Mr. TAWNEY. I do, and I think they ought to be.

Mr. FITZGERALD. Then will the gentleman inform the committee why, if that is his opinion, he did not restrict the expenditures to be made in the appropriation of \$1,565,786, in lines 17, 18, and 19, to purchases exclusively in the United States?

Mr. TAWNEY. Because of the difference in the character of the material to be purchased. Here we were dealing with miscellaneous material purchases in the United States, \$1,000,000. Now, what the gentleman refers to is for new equipment purchases, \$1,565,786.

Mr. FITZGERALD. I call the attention of the gentleman to

the fact that the new equipment purchases are steam shovels, locomotives, and dredges, which are particularly well manufactured in the United States.

Mr. TAWNEY. The number of manufacturers of that equipment in this country are comparatively small, and therefore the number of competitors should be much greater under this provision.

Mr. FITZGERALD. But the gentleman from Illinois [Mr. MANN] stated that there was only one manufactory in the world that made first-class steam shovels and that is a concern in Ohio.

Mr. TAWNEY. That may be true.

Mr. LITTAUER. If the gentleman will permit me, that item, \$1,565,786, is an item to provide the money to pay for contracts already entered into, already partially delivered, and this will complete them. They can determine the amount of those contracts up to \$6.

Mr. FITZGERALD. If the gentleman will pardon me, there was nothing in the hearings to the effect that this particular appropriation was required to complete contracts.

Mr. LITTAUER. It is nevertheless the fact, and the details given here—flat cars, locomotives, and other things in the same line—are a repetition of the details given us at the time the \$16,500,000 deficiency appropriation was asked for, and this is for the proportion not provided for in that provision. The contract for the delivery of these various items have all been entered into, and this is simply the balance to be delivered and paid for under the contract.

Mr. FITZGERALD. I will say that that is not my understanding of the item.

Mr. PRINCE. Mr. Chairman, will the gentleman from Minnesota please state whether any person, company, or corporation outside of the United States made any bid, and if any of these bids are accepted?

Mr. TAWNEY. I am unable to answer the gentleman's question. My impression is, however, that there were no bids made by firms outside of the United States, and, therefore, there were none accepted. I would state to the gentleman, however, that there are representatives of foreign manufacturers in this country, all of whom have an opportunity to bid on these contracts. The bids are not limited to the products of the United States, nor to people who are engaged in the manufacture of these products in the United States. The bids are open bids, made in this country, and if a foreign representative of some foreign manufacturer wanted to put in a bid he could do so.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

Mr. THOMAS of North Carolina. Mr. Chairman, let us have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

The Clerk again reported the amendment.

Mr. DE ARMOND. Mr. Chairman, my object in rising is not so much to say anything myself as to endeavor to get further information from those who may possess it, and I would be glad to ask the gentleman from Minnesota, the chairman of the Committee on Appropriations, about these railroad iron bids. I did not quite understand him. If I understood him correctly, he said that we had been paying \$26.45 a ton for railroad iron for use on the Isthmus.

Mr. TAWNEY. That is correct; that was the testimony before the committee.

Mr. DE ARMOND. Is it not a fact that the same manufacturers are selling the same sort of rails in foreign countries for from \$20 to \$22 a ton?

Mr. TAWNEY. I can not say it is a fact, for I do not know.

Mr. DE ARMOND. Were there any foreign bidders for any of these contracts?

Mr. TAWNEY. I do not know; but, as I said, the representatives of foreign manufacturers of steel rails in this country had an opportunity to bid here.

Mr. DE ARMOND. I mean contracts generally.

Mr. TAWNEY. My impression is there were no foreign bids made or accepted. I do not know as to the fact, but that is only an impression gathered from the testimony before the committee. The direct question was not asked nor answered or testified to.

Mr. DE ARMOND. I would like to ask the gentleman whether he knows how it happened that there were no foreign bidders, if there were none?

Mr. TAWNEY. I do not know, and I will not say positively that there were none.

Mr. DE ARMOND. Does the gentleman know whether the prices paid are the prices which American manufacturers usually get for similar articles abroad, or, approximately, prices which they get for the same articles at home?

Mr. TAWNEY. I only know this: That the prices at which this material and equipment and supplies are purchased is the lowest competitive price that could be obtained by the Commission after advertising for four weeks in particular localities where the material and supplies are manufactured and produced.

Mr. DE ARMOND. Can the gentleman answer this question—

Mr. TAWNEY. One moment. My colleague from New York on the committee calls my attention to this testimony of Mr. Shonts:

Mr. LITTAUER. Now, I notice that a large item—about one-third of the amount it would be—is for steel rails. That you explain in connection with the second track and the spur tracks?

Secretary TAFT. Yes.
Mr. TAWNEY. What do you pay for steel rails?
Mr. SHONTS. From \$21.45 to \$26.45. The railroads in this country charge \$28.

Mr. TAWNEY. What is the weight at the mills?
Mr. ROSS. The weight is 70 pounds to the yard. They give us this price at Baltimore—

Mr. SHONTS. Whereas \$28 is the domestic price at the mills.

Mr. DE ARMOND. I will ask the gentleman a further question—whether it appears to him from his investigation of this matter that the Americans in these contracts got them because they were able to do the work or furnish the articles cheaper than anybody else could do. Is that the understanding of the gentleman?

Mr. TAWNEY. I did not quite catch the question of the gentleman.

Mr. DE ARMOND. Is it the gentleman's understanding from his investigation that the Americans obtained all these contracts for the sale of the articles because they could and did supply them cheaper than anybody else offered to do?

Mr. TAWNEY. I can not answer the gentleman's question, because I do not know whether there were foreign bids or not; but I do know that the prices for furnishing the material for the Commission—that the purchases were made at the lowest competitive price that could be obtained after advertising in the several localities throughout the country where these articles are produced.

Mr. DE ARMOND. I will ask this question: Does it appear, then, that these American manufacturers supplied articles to this Commission at the world's competitive prices, or approximating those, and were able to do so, or at the prices that they are supplying similar articles here?

Mr. TAWNEY. There is so much confusion in the House that I was unable to hear the gentleman's question. I endeavored to catch it, but I failed.

Mr. DE ARMOND. I will ask the gentleman another question: Does the gentleman know any reason why the American manufacturer can not supply people in this country with similar articles as cheaply as he can supply them to the Government in Panama?

Mr. TAWNEY. I do not, and I do not know that they are not doing so.

Mr. DE ARMOND. Well, the gentleman does not know, then, really, except in the matter of steel rails, whether the Government purchases these articles cheaper than the general American consumer purchases them from the American manufacturer?

Mr. TAWNEY. I do not know whether the Government is purchasing these items for less than the American consumer at home is doing, except in the item of steel rails, as I answered the gentleman a moment ago.

Mr. DE ARMOND. Let me ask one other question. Does not the gentleman believe that the tendency would be to get lower and better prices and greater and more valuable competition by advertising abroad as well as at home?

Mr. TAWNEY. What advantage is to be gained in advertising abroad, and thus add to the additional expense of advertising over there? If we made purchases abroad we would have to have foreign inspectors. The representatives of foreign manufacturers in this country are looking out for business all the time, and have access to the same newspapers in which these advertisements are made that the manufacturer here has.

Mr. DE ARMOND. Then I understand the gentleman to say that there would be no advantage, in his judgment, in advertising abroad?

Mr. TAWNEY. None whatever that I can see. The foreign manufacturer has the opportunity, just the same as the American manufacturer, to submit his bid for the various contracts that the Commission offers.

The CHAIRMAN. The time of the gentleman has expired.
Mr. SULLIVAN of Massachusetts. Mr. Chairman, I would like to ask the gentleman from Minnesota a question. Is the gentleman prepared to state that the foreign representatives of European concerns are authorized generally to make bids for

large amounts of supplies on the canal, or whether these representatives would not be obliged to lose one week by corresponding with the home concern and another week by return of the mail before they would start on an even basis with the bidders here at home—with the domestic concerns?

Mr. TAWNEY. Well, whether there is any necessity for the delay incident to correspondence by mail I do not know, but if the contract is of sufficient size to justify them in undertaking to secure it, then they have the same access to the cables that is open to anybody else, and undoubtedly if they could secure the contract at a profit they would be glad to avail themselves of that cable.

Mr. SULLIVAN of Massachusetts. Now, the gentleman acknowledges that only twenty-eight days' notice is given in the advertisements for bids, and I understand he admits further that no foreigners have secured any contracts for supplies on the isthmian canal. Will the gentleman undertake to account for the reason, namely, why all of the supplies are furnished by United States concerns?

Mr. TAWNEY. I can not give the gentleman any reason why other than that foreign representatives of European concerns fail to make as low bids as the American manufacturers. [Applause on the Republican side.]

Mr. SULLIVAN of Massachusetts. Is there any tariff on supplies that come into the isthmian canal that gives American manufacturers a preference over European manufacturers?

Mr. TAWNEY. I suppose the gentleman is fully aware of the fact that there is no tariff. Our American tariff does not apply to the isthmian Canal Zone, but the goods under all contracts, by whomsoever they are taken, are required, under the specifications, to be delivered for payment at the Isthmus, and whether they come in from a foreign country or whether they are shipped from the United States they are paid upon the basis of delivery on the Isthmus of Panama.

Mr. PALMER. Pay no duty.

Mr. TAWNEY. Pay no duty.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 53, noes 91.

So the amendment was rejected.

Mr. DE ARMOND. Mr. Chairman, I offer the following amendment, which I send to the desk, and ask to have the Clerk read it.

The Clerk read as follows:

Amend by adding the following: "Said purchases shall not be confined to the United States, but the things purchased shall be bought upon the best terms that the world's markets afford."

Mr. TAWNEY. Mr. Chairman, I make the point of order that the amendment is not in order; that it is legislation upon an appropriation bill.

Mr. DE ARMOND. I would like to be heard upon that, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. DE ARMOND. I would ask the gentleman from Minnesota to again state the ground of his point of order.

Mr. TAWNEY. That it is new legislation.

Mr. FITZGERALD. This whole item is new legislation.

Mr. DE ARMOND. Mr. Chairman, in the discussion which preceded upon the amendment just voted down it was claimed that the amendment was unnecessary and is unnecessary because the phraseology under consideration has reference to the locus of the contract—the fact of the purchase being made in the United States—and that by this language it is not meant to exclude purchases of articles brought from elsewhere than the United States. The Chairman will recollect distinctly that that is the ground upon which this amendment was opposed; that it did not exclude purchases of articles outside of the United States, but that it had reference to the auditing of accounts in the United States by the purchasing agent in the United States, who, in the United States, would give orders for the articles no matter where they came from.

Now, I do not believe that fairly, or at least necessarily, the language will bear that construction beyond a possibility of doubt or misunderstanding. If the language means that the articles may come from anywhere; that anybody, whether a citizen of the United States or an alien, may supply them; that they may be brought from any place in the United States or from any place out of the United States, then I think the amendment which I suggested merely will make plainer and clearer that proposition.

The CHAIRMAN. The Chair desires to ask the gentleman from Minnesota if there is now any existing law upon this proposition?

Mr. TAWNEY. The general provisions of the act creating

the Commission authorizing the purchase of the canal and the construction of the canal is the only law which we have on the subject. Of course, if this is not a change of existing law, then, of course, the Commission can buy anything anywhere, and what object has the gentleman from Missouri in offering the amendment?

The CHAIRMAN. The object of the gentleman does not concern the Chair.

Mr. TAWNEY. I do not think there is any specific law applicable to the place as to where the purchases made by the Canal Commission shall be made, but there is a general law beyond which the Commission heretofore claimed they were not authorized to go in the making of their purchases.

The CHAIRMAN. Unless the amendment of the gentleman from Missouri changes existing law, the Chair will rule the amendment to be in order.

Mr. TAWNEY. I am unable to cite the Chair to the law covering the point.

The CHAIRMAN. Then the point is overruled.

Mr. DE ARMOND. Mr. Chairman, I would like to make some remarks on the amendment.

The CHAIRMAN. The gentleman from Missouri desires to be heard on his amendment.

Mr. DE ARMOND. The purpose of the amendment is to make this provision of the law show just precisely and beyond the possibility of misunderstanding or misconstruction what gentlemen claim it already means without the amendment. Now, if the provision as it stands in this bill does not limit the purchasing agent in the United States making contracts in the United States to the American market, then there can be no objection, it seems to me, to this provision offered by this amendment. If, however, the provision as it stands does, or by misconstruction, if you please, might, limit the purchasing agent to articles of American production—in other words, to the American market—then there is the very greatest and very best of reasons why the amendment ought to be adopted. Now, if you really wish to confine the purchases to the American market, then vote down the amendment and interpret the construction of this provision contrary to what you now claim it means. If, on the other hand, you desire to enable the purchasing agent of the Government to purchase the articles at the world's price upon the best terms that can be obtained, no matter who supplies them or where they come from, then it seems to me that this amendment ought to be adopted to remove whatever of uncertainty or danger there might be from misconstruction of the provision as it stands. That is all I care to say about it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. DE ARMOND. Division, Mr. Chairman.

The committee divided, and there were—ayes 58, noes 74.

Mr. DE ARMOND. Mr. Chairman, I believe I would like to have tellers.

The CHAIRMAN. The gentleman from Missouri demands tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from New York [Mr. LITTAUER] and the gentleman from Missouri [Mr. DE ARMOND] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 66, noes 93.

So the amendment was rejected.

The Clerk read as follows:

For miscellaneous material purchases on the Isthmus and miscellaneous expenditures, consisting of hotel and hospital and other supplies, transportation of labor from West Indies, \$400,000.

Mr. SULZER. Mr. Chairman, I move to strike out in lines 5 and 6 the words "from West Indies," so that the appropriation for the transportation of labor shall apply generally to the United States or any other place. This is only just and fair, it seems to me, to the workman in our own country.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In lines 5 and 6 strike out the words "from West Indies."

The CHAIRMAN. Does the gentleman desire to discuss the amendment?

Mr. SULZER. Mr. Chairman, I will occupy the attention of the committee only a moment. I desire to say a word or two in support of this amendment. It seems to me this provision carrying \$400,000 for transportation of labor should apply to the workman of the United States as well as to the laboring man of the West Indies. I do not think there ought to be any limitation or distinction in this matter. In fact, if there is going to be any discrimination it should be in favor of our own people.

I want to give the working people of the United States a chance to do some of the work on the canal, as well as the laborers of the West Indies, and treat Americans, if anything, a little better than aliens. I wish to protect our own people as well as foreigners, so far as this provision goes, to pay the transportation of workmen to and from the Canal Zone. My amendment will do this, and in my opinion it is just and fair. It is impossible for me to conceive why a distinction in the matter is made against our own working people in favor of laboring people from the West Indies. If we are going to pay the transportation of the West Indian laborers to and from the canal, then I submit we should pay the expenses of our own working people to and from the Isthmus. The provision in the bill discriminates against the hard-working and industrious people of our own country, and I am opposed to that in any way, just as I am opposed to the other provision in this bill to make the eight-hour law inapplicable to the Canal Zone. I am in favor of the eight-hour law here and everywhere. Industrial labor has struggled for years to place it on the statute books, and I shall always oppose its modification or repeal at the dictation of selfish contractors who want to work their men nine or ten hours a day, even if the work to be done is on the isthmian canal. I am surprised that the Republicans of this House favor this modification of the eight-hour law, and when that provision is reached I trust it will be stricken out of this bill on a point of order. I stand for the rights of the American workman; and, in Congress or out of Congress, I shall always do all in my power to advance his interests and aid him in every way I can to ameliorate his condition. These provisions I refer to discriminate against our own workmen and strike a blow at the dignity of the American toiler. I am absolutely against such legislation. I trust, therefore, that my amendment will be adopted, and the other provision in this bill, repealing the eight-hour law in so far as it is applicable to work in the Canal Zone, will be stricken out of the bill. [Applause on the Democratic side.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. SULZER) there were—ayes 51, noes 55.

Mr. SULZER. Mr. Chairman, I demand tellers.

Tellers were ordered.

The CHAIRMAN appointed Mr. LITTAUER and Mr. SULZER as tellers.

The committee again divided; and the tellers reported—ayes 64, noes 77.

So the amendment was rejected.

Mr. SULZER. Mr. Chairman, I now move to amend the bill as follows: In line 6, after the words "West Indies," insert "or colored labor from the United States."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 6, after the words "West Indies," insert the words "or colored labor from the United States."

Mr. SULZER. Mr. Chairman, I offer this amendment in behalf of the colored workmen who are going to the Canal Zone from the United States. If we are going to pay the transportation of the West Indian negro, then why in the name of fairness and common sense should we not pay the expenses of the negro of the United States who leaves our own country to go to dig the Panama Canal? The gentlemen on the other side of this Chamber pretend to be the friends of the negro in America. I have often doubted your sincerity in the matter, but now I shall put it to the test and find out by your votes on this amendment if you think less of our own negro workman than you do of a negro laborer from the West Indies—if you are willing to pay the latter's expenses to and from the Canal Zone and refuse to pay the transportation expenses of the American negro to and from the Isthmus. The vote on this amendment will tell the story more eloquently than words, and I am ready for the vote, and I shall hereafter point to the record.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. SULZER) the Chair announced that there were—ayes 26, noes 52. So the amendment was rejected.

Mr. DE ARMOND. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri [Mr. DE ARMOND] offers an amendment, which the Clerk will report. The Clerk read as follows:

Insert a new paragraph, as follows:
"All new purchases shall be made at the lowest price and upon the best terms that the markets of the world afford."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. DE ARMOND) there were—ayes 54, noes 63.

Tellers were demanded and ordered.

The CHAIRMAN appointed Mr. LITTAUER and Mr. DE ARMOND as tellers.

The committee again divided; and there were—ayes 61, noes 81.

So the amendment was rejected.

The Clerk read as follows:

For salaries, incidental expenses, rents, cable and telegraph service in the United States, covering Washington office, including Commissioners, offices of assistant purchasing agents at New Orleans, New York, and Tacoma, \$75,000.

Mr. HAUGEN. Mr. Chairman, I move to strike out the last word. In this five-minute debate I will not undertake to discuss the question under consideration; but my morning mail brings me a very interesting and instructive letter touching on the question under consideration—one from William S. Bucknell, an employee in Panama, whose veracity and standing are vouched for by my friend, the Hon. A. K. Bailey, a pioneer journalist, editor of the Decorah Republican, Decorah, Iowa, a gentleman of the highest standing, a close student of national affairs for half a century, whose ability, judgment, and integrity are recognized all over our State and by all who know him.

In view of all the criticisms and misinformation that have been printed, I deem it proper and in justice to the administration of affairs there that this unbiased, reliable, and valuable information be printed in order that the truth be known.

The value of this information, coming as it does, I am sure will be appreciated, and it clearly establishes the fact that the sanitary conditions on the Isthmus have been much improved, and that every possible effort has been put forth in an effective and intelligent manner to provide for the comfort, convenience, and health of the people there.

I ask leave to print these papers in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The papers are as follows:

[The Decorah Republican, A. K. Bailey & Son, proprietors.]

DECORAH, IOWA, January 20, 1906.

Hon. G. N. HAUGEN.

DEAR SIR: I take the liberty to send you herewith a letter that will appear in the Republican of January 25. The writer is a citizen of Decorah, a man of integrity and intelligence; by occupation an architect, and a good one. He went to Panama nominally to be a "foreman of carpenters," but when he got there and they found his caliber he was put into office work as a draftsman and has been engaged at that work for over a year.

It seems to me his testimony contradicts positively that of Mr. Poulney Bigelow. Mr. Bucknell has no cause that I can see for misreporting the situation of affairs as he has seen them. His theme is the largeness of deeds done in the year. That of Bigelow's is the reverse. The latter should have no motive to misrepresent, but the constant desire to make as much of a "good story" of what he writes is a constant incentive to exaggeration in a correspondent, and especially so to one who has a reputation to maintain. Because of this difference I contend that Mr. Bucknell, though an humble citizen, having no reputation to sustain as a correspondent, is the most reliable witness of the two.

Yours, truly,

A. K. BAILEY.

ALONG THE PANAMA RAILWAY—THE IMPROVEMENTS THAT HAVE BEEN MADE IN A YEAR—THE GOVERNMENT'S CARE OF ITS WORKERS.

ANCON, CANAL ZONE, ISTHMUS OF PANAMA,
January 10, 1906.

EDITORS REPUBLICAN: During the first of the month I took a trip on the cars across the Isthmus and back, and noticed in particular the improvements along the line—such a contrast between now and a year ago. Most everything is changed. At the towns and stations nearly all of the old buildings have been repaired, cleaned, and painted, and a number of new houses have been erected. Fly screens are being put on all houses, old and new. On some the entire verandas are screened. Brass and bronze screens are the only kinds used. Iron rusts out in a short time; therefore is not used at all. Along the railroad the brush and weeds have been cut and all present a more civilized appearance.

Perhaps it would be of interest to know a little of what is being done in the way of buildings and how employees are provided for. Nearly all buildings are frame structures, and all are furnished with shower baths, lavatories, and water-closets. At the present time there are three large buildings being erected at Ancon, Tivoli Hotel being the largest. It is to be three stories. It will have 150 bedrooms in the second and third stories. The first story will have several bedrooms, but most of the space will be taken up with dining halls, etc. Verandas for the three stories will extend around the entire building. The distance around the building, measuring at the outside edge of veranda, is 1,500 feet (over a quarter of a mile). The nurses' home and the bachelor officers' quarters are both alike and three stories high, with three-story verandas on all sides. Each will have rooms for 100 beds.

Plans are made for a \$75,000 residence for the use of the governor of the Canal Zone. The walls will be of concrete blocks, and the interior finish of rooms will be hard wood. A large administration building, sanitary department building, and police court building are to be built at Ancon as soon as possible. Besides the foregoing, a large number of portable frame houses have been placed at Ancon for the use of married men. All of the best buildings are to have tile roofs. The cheaper kind have corrugated galvanized-iron roofs.

At Culebra a large office building is being erected for the engineering and architectural departments. Before many weeks these departments will be removed from Panama and located there. Empire, Culebra, and Gorgona are not far apart, and most of the married men's residences are being placed at these points.

At Corozal are married men's quarters and a Zone hotel. This hotel is typical of several that have been erected between Panama and Colon. Owing to the size it has lost favor, and smaller houses are taking the lead. It is three stories high, with three-story verandas on all sides. The first story is taken up with dining halls, office, and kitchen. The second and third stories are divided and have eighty bedrooms.

The material department is at Cristobal (the United States portion of Colon) and has quarters similar to the foregoing. A great many married men's residences have been built at this place and La Boca and other places along the canal.

A number of large hospitals were built at Colon and Ancon by the French, and others have been added by the Isthmian Canal Commission. These are the main centers, and most all sick are taken to one or the other of these places. There are a few emergency hospitals along the line that are made use of temporarily. Those who have been to these places when sick claim that they were well cared for.

Every station of any size is provided with a jail. Numerous other buildings have been erected, such as insane asylums, quarantine stations, cement-block plants, lumber sheds, barns, planing mills, etc.

According to contract the Commission are to furnish free quarters for all employees, and in case any of the employees are not allotted quarters they are allowed in lieu thereof a commutation equal to 15 per cent of their monthly salary, provided they apply for quarters and the Commission have none to give. If the Commission has quarters and the applicant refuses to take them, he is then barred from receiving commutation.

Married men who have their families here are provided with a private residence containing from three to eight rooms, the size of the house being according to the salary and the number to the family. Men without families are allotted rooms in the Zone hotels. The allowance to each is 1 square foot of floor space for each \$1 of his month's salary. Those who receive less than \$100 per month are allotted quarters several together in the same large room and sleep on cots. Those receiving \$100 to \$125 per month are allotted quarters, two to each room. Every person receiving \$150 or more per month is given a room to himself. Rooms are furnished with oak furniture, and include bureau, washstand, table, two chairs, iron bedstead, bed springs, mattresses, pillow, and lamp. The occupant furnishes his own sheets, blankets, and pillowcases. Married men receive furniture according to the size of the family, and are also furnished with a cooking range.

The Zone hotels are run by the Commission. It is understood that those who room at one of these are to take meals in the dining hall, the price being 30 cents (gold) for each meal. No extra is charged for taking care of rooms.

When an employee accepts quarters in one of these hotels he is furnished with a meal book containing fifty meal tickets by the timekeeper, and is charged \$15 for it on the books. This amount is taken out of the salary at the end of the month. The books can be had in no other way, as the timekeeper is not allowed to take cash. By this method no one pays for more meals than he eats. Should an employee wish to leave before all the tickets have been used he can return the unused tickets and get credit for them. Two dining halls are in each of these hotels, one for office men and the other for carpenters and tradesmen.

There are a number of "chronic kickers" at these places that find more or less fault with meals, which at times is amusing and at other times disgusting. This, of course, is the natural consequence where so many board together. For my part, I can say that the board, with very few exceptions, is good, and far better than any that can be had at any other place on the Isthmus, and is as near like that of the United States as circumstances will permit.

Yours respectfully,

WM. S. BUCKNELL.

P. S.—Eggs to-day in Panama are only 7½ cents (gold) each.

The CHAIRMAN. The pro forma amendment offered by the gentleman from Iowa [Mr. HAUGEN] is withdrawn.

Mr. MACON. Mr. Chairman, I desire to offer an amendment. The CHAIRMAN. The gentleman from Arkansas [Mr. MACON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert at the end of line 16: "Provided, That no part of the sum herein appropriated shall be used in the payment of salaries to press agents or other sentiment-promoting officers or employees."

The CHAIRMAN. Does the gentleman desire to discuss the amendment?

Mr. MACON. Mr. Chairman, when the bill making appropriation for this project was before the House at an earlier day of the session the fact was disclosed that the Panama Commission had in its employ what was known as a "press agent." That produced in the minds of a good many people the conclusion that there was a kind of a scandal going on in connection with the operation of the affairs of the Commission; in other words, they had a Mr. Bishop employed at a salary of \$10,000 per annum for the sole and express purpose of arousing a sentiment in favor of the project.

Now, sir, it seems to me that he was entirely useless in connection with this matter, if that was his sole business, for we all know that the sentiment in favor of the digging of the Panama Canal reaches from the Lakes to the Gulf and from one ocean to the other. Therefore it is entirely unnecessary to have one engaged in that capacity in connection with the affairs of the Commission. Now, sir, while I feel that I can not, in my humble capacity, change the policy of that Commission, still we can call attention of the country to the existence of such an evil; and while I understand that temporarily the Commission has decided to dispense with the services of that officer, the employee known as a "press agent," still we do not know, after this ap-

propriation is made, after this Congress has adjourned, but what such an official will be employed again. Therefore if we call the attention of the Commission to the fact that the Congress does not favor the employment of officers or employees of that superfluous character it might cause them to act differently in the future.

Sir, at any rate, as I said a moment ago, if we can not do anything else, we can call the attention of the people to the fact that the Commission has willfully and deliberately paid out the sum of \$10,000 per annum to one Mr. Bishop for the sole purpose of manufacturing sentiment in favor of the canal, when no sentiment was necessary, action alone being needed. Then, sir, they can do as they wish about the matter.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. MACON. Division!

The committee divided; and there were—ayes 31, yeas 62.

So the amendment was rejected.

The Clerk read as follows:

For salaries, incidental expenses, rents, cable and telegraph service in the United States, covering Washington office, including Commissioners, offices of assistant purchasing agents at New Orleans, New York, and Tacoma, \$75,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 15, line 16, add: "Provided, That no part of the money herein appropriated shall be paid to any Commissioner as compensation in addition to his salary as Commissioner."

Mr. FITZGERALD. Mr. Chairman, the substance of this amendment was practically agreed upon by the committee. The intention of the committee was to prevent the payment of compensation to men under the guise of paying them for different services.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. FITZGERALD. Certainly.

Mr. TAWNEY. Under your amendment, will it be possible to pay the president of the Commission, Mr. Shonts, any more than \$7,500?

Mr. FITZGERALD. It will; if the President says that the Commissioner who shall be chairman of the Commission shall receive \$30,000 a year, then that is his compensation as Commissioner. If he says that the Commissioner who shall act as governor of the Canal Zone shall receive \$17,500, he receives that salary. This merely prevents the President saying that a man shall receive \$7,500 a year as Commissioner and \$22,500 as chairman. The salary for services ought to be fixed in a gross sum and paid them.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For new equipment purchases, \$1,565,786; in all, \$5,340,786, which shall continue available until expended: *Provided*, That all expenditures from the appropriation herein made for the Isthmian canal shall be paid from, or reimbursed to the Treasury of the United States out of, the proceeds of the sale of bonds authorized in section 8 of the said act approved June 28, 1902.

Mr. WILLIAMS. Mr. Chairman, I offer an amendment, by striking out all beginning with the word "provided," on page 15, line 21, down to and including the word "two" on line 2, page 16.

The Clerk read as follows:

Line 21, page 15, beginning with the word "provided," strike out the remainder of the page and lines 1 and 2 on page 16.

Mr. WILLIAMS. Now, Mr. Chairman, I do not want to discuss that, but I do not want to pass it without renewing the objection formerly made, when the matter was up under the emergency bill, of this policy of bonding posterity, running in debt, issuing bonds to pay for these things when we have the money in the Treasury or in bank.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. WILLIAMS. Let us have a division, Mr. Chairman.

The committee divided; and there were—ayes 48, yeas 57.

So the amendment was rejected.

Mr. DE ARMOND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amend by inserting a new paragraph, as follows: "All purchases shall, so far as may be practicable, be made at the lowest prices and upon the best terms that can be obtained."

Mr. DE ARMOND. Now, Mr. Chairman, a single word on the amendment. That amendment, I think, is as carefully and conservatively phrased as anyone can desire who wishes to give those who purchase for the Government any option or any opportunity to buy nowhere except in the United States at any prices except those which the trust may fix. It provides that the purchases shall be made at the lowest price and upon the best terms obtainable, so far as may be practicable, leaving out of consideration instances of emergency, where it might be supposed that purchases ought to be made at a higher price or on poorer terms.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. DE ARMOND. Yes.

Mr. TAWNEY. What advantage does the gentleman from Missouri claim would result from this, or in what respect does this amendment of his differ from the practice that has obtained in the matter of making these purchases since the beginning of this work?

Mr. DE ARMOND. In answer to that, I will say that I shall be very much surprised if it is not contended later on that this peculiar language is intended to limit the purchasing agent to articles produced in the United States. I wish the Government to have the opportunity to buy where those who purchase conclude that they can do best, leaving it, so far as emergency purchases are concerned, to the option and judgment of the purchasing agent. If he thinks it is not practicable to buy at the lowest price that can be obtained or upon the best terms, owing to some exigency or contingency, or from some reason satisfactory to him, if this amendment be incorporated, there will be no coercion upon him; but the general admonition is: "Buy where you can buy best; make the money of the United States go as far as possible; expend as little as may be necessary to procure what you must have." That is the object and purpose of the amendment, and it seems to me a good object and a good purpose, which I think may not be accomplished by the provisions as they now stand.

Mr. LITTAUER. Mr. Chairman, the deficiencies carried in this section are to provide for deficiencies during the months of April, May, and June next. They amount to \$5,000,000. Now, the Commission has already expended, or has had appropriations to expend, \$21,000,000. They have followed out the course in making their purchases of having full advertisement and award to the lowest bidder. Why now make this comment on the procedure as it has properly proceeded?

Mr. DE ARMOND. If the gentleman will permit me to reply, this is not a comment upon anything that has been done. The incorporation of this amendment will not negative, does not criticize, will not interfere with any contract now subsisting, or any purchases that have heretofore been made. It is an admonition as to the future, from the time when this legislation shall become operative, as a general rule; in other words, when it is practicable, to buy for the best price and upon the best terms. Now, if there be objection to that, such objection can well be urged against this amendment. If there be no objection to that I do not know what objection can be urged against this amendment.

Mr. LITTAUER rose and was recognized.

Mr. WILLIAMS. Mr. Chairman—

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Mississippi?

Mr. LITTAUER. Certainly.

Mr. WILLIAMS. Mr. Chairman, if, as the gentleman from Minnesota [Mr. TAWNEY] says, the amendment offered by the gentleman from Missouri [Mr. DE ARMOND] will make no sort of change in the provision of the law as you have it before you now, and will result only in giving the Commission authority to pursue the practice which they have hitherto been pursuing and which they desire to pursue, then why not accept the amendment and let it go on the bill?

Mr. TAWNEY. Simply because I do not think it is good policy to attempt to prescribe by legislation the details for the running of any great business enterprise. If they do not conduct their business in a business-like manner, they can be removed at any time; but to attempt by legislation to confine them to certain rules and limitations which pertain merely to practical business common sense is not necessary, and I am opposed to it.

Mr. WILLIAMS. Mr. Chairman, the contention of the gentleman from Missouri [Mr. DE ARMOND] is that the language of this bill is a limitation and a restriction, and that the language which he offers as an amendment would remove all that, so that there would not be any limitation or restriction in the bill upon the discretion of the Commission to buy wheresoever they chose. So that when the gentleman says he does not believe in putting limitations or restrictions upon a bill of this character

he argues over on the other side of the line and against the provision which he himself has offered. The very object of the amendment is to remove either the real or fancied restriction and limitation as to details in the provision of the bill itself.

Mr. TAWNEY. The statement that I made was not a limitation upon the expenditure of this appropriation, but I said it was impracticable to attempt by legislation to limit the carrying out of the details of a great enterprise like this.

Mr. WILLIAMS. That is what I understood. Now, it is alleged, and it seems to me with considerable plausibility, if not with actual truth, that the provisions of the bill do enter into details and limit the Commission to certain things. Now, whether the provisions of the bill do that or not, there certainly is room from this language for somebody so to construe it if anybody chooses.

Now, the gentleman tells the House that he is in favor of the Commission buying material and equipment wherever they can get them the cheapest. The gentleman from New York [Mr. LITTAUER] also tells us that. Then it is alleged that the language of the bill is doubtful, and still gentlemen will not consent to remove the doubt by saying in plain language that the Commission shall have the power which they say it has, that they shall pursue a practice which they say it has pursued, and that the discretion in purchasing shall not be limited, contending that hitherto it has not been limited.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Iowa. Mr. Chairman, I do not feel that I am capable of fully understanding the position taken by the gentlemen on the other side in connection with this isthmian canal project. They insist, as I understand it, that the eight-hour law shall apply to employment, even of foreigners, upon the work upon the isthmian canal. They insist that we must employ them for only a limited length of time, like American workmen, and they insist at the same time that we shall buy the things that are necessary to use in the construction of the canal in the markets of the world, of contractors who employ their laborers ten and twelve hours a day.

I am unable to understand why it is any more desirable to employ foreign workmen under contractors ten and twelve hours a day, and thus take the labor from the American workmen, than it would be to employ foreigners upon the Isthmus to do the work that Americans can not do for ten or twelve hours a day.

Mr. DE ARMOND. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. SMITH of Iowa. Certainly.

Mr. DE ARMOND. I would like to ask the gentleman a question. The question is whether the gentleman from Iowa opposes the policy of buying at the least price and upon the best terms that can be obtained?

Mr. SMITH of Iowa. I will answer the gentleman's question. Things that can be produced for use upon the Isthmus by American labor I am in favor of producing by American labor, and paying the American wage scale, and consequently I do not want to buy these things in Europe or elsewhere outside of the United States; but work that is to be done on the Isthmus and can not be done by Americans—that is, not displacing American workmen—I am in favor of doing at the cheapest price. I see no discrimination against labor in employing European labor or any other labor on the Isthmus in work that can not be done by the Americans at the best prices, and, at the same time, buying the goods that Americans can produce in the United States at fair prices here. [Applause.]

Mr. DE ARMOND. I would like to ask the gentleman from Iowa whether he is opposed to putting a prohibition upon the officers who deal for the Government as to buying where they can buy the best and cheapest?

Mr. SMITH of Iowa. I am not in favor of buying goods abroad that can be produced by American labor simply because they can be more cheaply produced by some other labor. I am in favor of buying these goods—the product of American labor—for use upon the Isthmus; but gentlemen come here and say they are in favor of buying things that we can produce from foreigners—the product of foreign labor—and when it comes to doing the work that we can not do by American labor, limiting it to eight hours, and putting all possible restrictions on it. I can not understand how they can reconcile these two positions.

Mr. DE ARMOND. The gentleman is confounding two propositions. We are on one now. The proposition we are on now is a simple, plain proposition, if this bill means what it is said it means—to buy upon the best terms the officers could get—it would be their duty to do it. If it doesn't mean that, the gentlemen have not been very ingenuous in what they claim about it.

Mr. SMITH of Iowa. Now, will the gentleman from Missouri permit me to ask him a question?

Mr. DE ARMOND. Certainly.

Mr. SMITH of Iowa. Is the gentleman from Missouri in favor of the employment of other than American labor on the Isthmus at more than eight hours a day?

Mr. DE ARMOND. When we come to that, I will take care of that. I have my own views upon that subject, but do not want to get away from this. As far as the gentleman from Iowa is concerned, I will meet him on that. The point we are on now is whether or not we should, in legislating on this subject where hundreds of millions, and the Lord only knows how many hundreds of millions, will be expended, say whether we are going to buy things at cost prices in America or at prices for which Americans are willing to sell similar articles abroad, or, in other words, whether we shall buy them in the world's market at the world's market prices.

Mr. SMITH of Iowa. Now, Mr. Chairman, the gentleman has declined to answer—

Mr. DE ARMOND. No; I have not declined to answer.

Mr. SMITH of Iowa. For the present—for the present—whether he is in favor of employing other than Americans on the Isthmus at more than eight hours a day; but he asserts that he is in favor as against American producers of buying goods for the Isthmus that could be produced in America of foreign producers who do employ labor more than eight hours a day.

Mr. DE ARMOND. Now, Mr. Chairman, in order to enlighten the gentleman I will answer, and I answer only for myself. I am not opposed to employing alien labor in the lower grades of work upon the construction of this canal upon terms of longer days than the eight-hour day. The reason I am not opposed to it is because, realizing that the American public will be compelled to pay untold numbers of millions of dollars for this great work, I am in favor by every reasonable, honest, and honorable method of lessening that expenditure as far as it may be done. I hope that is an answer to the question.

Mr. SMITH of Iowa. I then congratulate the distinguished gentleman from Missouri [Mr. DE ARMOND] upon his personal consistency, but can not so congratulate those gentlemen who insist that the work that can be done in America shall be done by laborers toiling ten or twelve hours a day in foreign lands, but the work that can not be done in America and by Americans shall be done under the eight-hour law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS. Mr. Chairman, the gentleman from Iowa [Mr. SMITH] has left the consideration of the section just read and has proceeded to the consideration of the merits of the section to follow. Since he has done that, I shall imitate him. I am not in favor of suspending the laws of the United States in connection with governmental contracts or the hours of labor under that law. I do not believe that Congress ought to do it, and I am not at all fooled with the general argument that I am interfering "with freedom of contract." I understand human nature well enough to know that whenever you say to a lot of men, "You can work eight hours or you can work longer," or the Government says, "You can work eight hours if you want to or you can work longer if you want to; it is a matter of freedom of contract with you, between you and me"—I know that that is all high-sounding, empty fulmination. As a matter of human nature, I understand that that proportion of those laborers who would not want to work any more than eight hours, and who would dare say so, would soon find some occasion or opportunity to be dismissed—discharged from their work altogether. Common sense teaches that. I know it to be true. Here you have somebody teaching, let us say, in a governmental institution which keeps open on Sunday, but where it is left to the discretion of the employees to take Sunday labor or not as they please. Those who come in and take Sunday labor stay where they are, ensconced in position. Those who decline to agree that they will perform Sunday labor soon find that their services are not "absolutely needed" in the bureau or in the Department, and so it will be upon the Isthmus. The gentleman is, moreover, mistaken in concluding that there will not be any American labor upon the Isthmus. There will be American labor there, and there will be a great deal of it there before this is through with.

Mr. SULZER. Isn't there lots of it there now?

Mr. WILLIAMS. Of course there is, and I say there will be a great deal more of it there before this is through with.

Mr. SMITH of Iowa. I never said there would be no American labor there.

Mr. WILLIAMS. Oh, the gentleman referred to the labor there as "alien labor."

Mr. SMITH of Iowa. I referred to alien labor.

Mr. WILLIAMS. Now, Mr. Chairman, this contract law—this law which says that the Government in its work shall not work its men over eight hours—is a wise law. It does not rest for its basis or justice upon whether the man who is doing the work is an alien or an American. It rests upon grand industrial reasons that were satisfactory to Congress when the law was adopted, and it is the law itself, it is the nature of the contract that the provision affects, and has nothing to do with the parentage or color or nationality of the man who is doing the work, and if it is dispensed with in Panama it may be dispensed with elsewhere after a while.

Mr. SMITH of Iowa. Will the gentleman permit a question there?

The CHAIRMAN. Does the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. SMITH of Iowa. As a matter of fact, in America almost all labor is governed by eight-hour rules, by negotiations between the unions and the employers. Would the gentleman then advocate breaking down that system by letting contracts for supplies upon the Isthmus to firms abroad who employ alien labor for more than eight hours a day?

Mr. WILLIAMS. Mr. Chairman, the gentleman is again trying to get from the one subject-matter to another. It seems to be this morning his favorite pursuit. I am talking about a law upon the statute books wherein the Government of the United States sets the example, with its persuasive power, to all other employers of labor in the way of employing labor for eight hours. So far as that example is persuasive so far it has force. It is in my opinion a good example. I think old Sir Matthew Hale, long before these latter-day industrial conditions arose, was wise in his division of a day into three parts: "Eight hours for sleep, eight hours for work, and eight hours for edification, recreation, and worship," and I think it is wise for the United States Government to do all that it can do, to wit: Just simply set an example. It is setting that example, and I do not want to break down that example in Panama or anywhere else.

Mr. SMITH of Iowa. Will you not break down that example if you let contracts to foreign firms that employ foreign labor for ten or twelve hours a day and therefore can do work cheaper than American labor at eight hours a day?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS. I move to strike out the last word. Mr. Chairman, the last remark of the gentleman has no pertinency at all to the matter I am discussing. Contractors might or might not work their men more than eight hours, and if it is better to build this canal by contract that is a minor consideration in a great question; but what I am contending for is that the Government of the United States as an employer of labor shall not set an example to them and to other people to work longer hours than eight hours any day. The gentleman would later on give work out by contract, probably—I have no doubt that he will have to come to that—and now he would, before that time, set an example to the contractors to work their men more than eight hours. Now, Mr. Chairman, this work after a while is going to be carried on in relays. This work is to be carried on all day and all night in order to economize in the use of the machinery. It will be best to have three relays of men working each eight hours, so that the three will work twenty-four hours and the work go on all the time.

I am unalterably opposed to the United States Government setting an example to the employers of labor, whether in Panama or anywhere else, of working their men longer than eight hours [applause], and I believe, moreover, Mr. Chairman—and there is no demagogue in me, I hope; I try at least to have none of it about me—but I believe that labor is more efficient, will do better work, work more intensely, more earnestly, and more efficiently when it is not overworked and when the hours are not too long. I believe that in almost every pursuit an honest man trying to work will turn out as much work in eight hours as he will in nine or ten. Not the first day, not the first week, but in the long run, because a man who is working nine and ten hours for months works down and has not the energy and ambition and working capacity of a man who works like the mischief the eight hours he is at work, but not working so long as to become absolutely paralyzed intellectually and physically with the drudgery of his pursuit.

Mr. LITTAUER. May I ask a question?

The CHAIRMAN. Does the gentleman from Mississippi yield?

Mr. WILLIAMS. Yes.

Mr. LITTAUER. Will not the gentleman admit that the

peculiar conditions existing at Panama demand some recognition here, even though we all agree upon the general proposition that eight hours should be the limit of a day's work here in the United States? Does he not recognize that it is in the first place difficult to get skilled mechanics and efficient common labor at the Isthmus, and there is a demand on the part of skilled mechanics who constantly implore the Commission that they should be permitted to work longer hours?

Mr. WILLIAMS. I never heard of anybody arguing for longer hours for labor or for child labor in factories or anything else oppressive who did not contend he was doing it at the request of the victims. It seems a wall is going up from all the children in all parts of the country to be allowed to work themselves into insanity in the factories of this country, and I suppose the wall is going up down there from men begging to be overworked. There is but one difference between the conditions there and the conditions here, and that is against your argument. That is that men can not work efficiently and energetically as many hours down in a tropical climate as they can in a temperate climate.

Mr. LITTAUER. Do they ever work in a tropical climate as energetically and efficiently as they do in a temperate climate?

Mr. WILLIAMS. Well, I think the general climatic conditions forbid a man working out in the sun as many hours or as long a time, and, generally speaking, if it is an unhealthy tropical climate like that at Panama the anæmic condition of the workman keeps him from being as efficient and as energetic a worker as another man would be in another climate. But that has nothing to do with this except to reinforce my argument.

Mr. DE ARMOND rose.

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. DE ARMOND. I desire to discuss the question.

The CHAIRMAN. The gentleman has already discussed the amendment.

Mr. GARDNER of New Jersey. Mr. Chairman, I rise to ask permission to interrupt the gentleman from Mississippi [Mr. WILLIAMS]. As I came in I understood the gentleman in his argument to be discussing the example of the United States and so much of the proposed amendment to the bill as referred to the employment of men for more than eight hours by the United States Government.

Mr. WILLIAMS. Under our existing law.

Mr. GARDNER of New Jersey. Well, that is the point. The existing law applies as much to the contractor and subcontractor on a public work of the United States as it does to the United States itself. And the abrogation of the law proposed in the bill reaches the contractor and subcontractor with as much force as it reaches the officers of the Government. Therefore a discussion which goes to oppose the Government's working men for more than eight hours and does not interpose the same objection against the contractor or subcontractor working them only partly opposes this amendment. In other words, it seems to express equal dissatisfaction with the present law as applicable to the Philippines as the committee expresses, only it is dissatisfaction with one part instead of the whole. Or does the gentleman oppose any modification of law and advocate keeping it as it is in its application to the subcontractor and the contractor, a point which I understood the gentleman to refuse to discuss?

Mr. WILLIAMS. In the first place, I do not understand the law to be as it is stated by the gentleman from New Jersey. I am probably less of a lawyer than the gentleman from New Jersey, but I do not understand the law to be as he states it. Now, Mr. Chairman, I will confine myself to this particular matter. I am trying to run out every other matter cognate or akin to it.

Mr. FITZGERALD rose.

The CHAIRMAN. Does the gentleman from New Jersey [Mr. GARDNER] yield the floor to the gentleman from New York [Mr. FITZGERALD]?

Mr. GARDNER of New Jersey. For the present.

Mr. FITZGERALD. One of the reasons assigned by Mr. Shonts in his testimony before the committee is that 80 per cent of the employees are aliens and never heard of the eight-hour law. If the logic of his argument were carried out then it would be proper not to apply the laws of the United States to all the aliens who came here, and simply because men had never heard of the right of trial by jury and the right of freedom of speech and freedom of religion it would be proper to suspend those laws in any territory controlled by the United States as well as to suspend this eight-hour law. While it is contended that the Isthmus is a perfectly healthful place at the present and men can work as long there as they can in the United

States, or longer, I wish to read at this time an extract from the speech of Chairman Shonts, which was inserted in the Record by the gentleman from Ohio [Mr. GROSVENOR] yesterday. This speech was delivered Saturday at Cincinnati. Speaking of labor and the conditions on the Isthmus, he used this language:

Experiment with the Italian laborers, while not made on a large scale, has not been satisfactory, for the reason that they did not seem possessed of great vitality, and succumb quickly to tropical fevers.

To-day in every part of the United States Italian laborers are doing the common laboring work of the country. They do possess great vitality. Perhaps they have not the same strength that men of other nationalities have, but from the Italian immigrants to-day the common laborers of the country are being obtained. And yet, according to Mr. Shonts himself, tropical fevers must be so prevalent there that these men can not successfully work on the Isthmus.

Mr. LITTLEFIELD. I beg the gentleman's pardon, but does he not think that Mr. Shonts had in his mind the fact that the Italians were not acclimated, and also had in his mind the kind of laborers they are able to get in that tropical section that are more capable of standing the exigencies of the situation? I think the gentleman will find that is true.

Mr. FITZGERALD. That may be, perhaps, what was in the mind of Mr. Shonts, but what came out of his mouth is the language that I have read, and I have no means of telling what was in his mind.

Mr. LITTLEFIELD. I think that if you will read his whole speech you will discover that fact running through it.

Mr. FITZGERALD. That may be true; but in this speech he in other places said that they hoped to obtain a great proportion of the labor from the United States. They hope to get the skilled mechanics from here; they hope to bring the clerks and other civil employees from here.

Mr. LITTLEFIELD. These are the day laborers that the gentleman has in mind now?

Mr. FITZGERALD. These are the day laborers. The fact is that the Italians who come to this country come from a more nearly tropical climate than ours, because the great mass of the Italian laborers in this country, unless I am misinformed, come from the southern part of Italy, and the climatic conditions there are more equal to the climatic conditions of the Isthmus than the climatic conditions of the northern parts of this country, where these men are to-day.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Missouri.

Mr. DE ARMOND. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DE ARMOND. For the purpose of discussing the amendment.

The CHAIRMAN. The gentleman has already discussed this amendment.

Mr. DE ARMOND. I move to strike out the last word, or the last twenty words, if need be. I ask unanimous consent to have three minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to address the committee for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DE ARMOND. Mr. Chairman, the gentleman from Iowa [Mr. SMITH] desired to divert, and apparently succeeded in diverting, the attention of the committee from the matter pending to a matter that is not pending, but will be in a moment. The gentleman from Iowa bases his observations upon the suggestion that to incorporate the amendment that I had the honor to offer would be to place the American laborer in a disadvantageous position. Now, the object of this amendment is to enable the American Government, as a purchaser, to obtain what we need, if we choose to buy from the American producer, the American manufacturer, as cheaply as the American manufacturers would sell the same things to any other government, to any other people, or to any individual carrying on this same great work. If the gentleman from Iowa, or any other gentleman, is really opposed to enabling the Government of the United States to buy as cheaply as the persons from whom the Government of the United States shall buy are willing to sell to foreigners who wish to buy, then I am perfectly willing that he should take that position. Now, I ask that the amendment be read in my time.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I ask that the amendment be read.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the amendment offered by the gentleman from Missouri will again be reported. The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. DE ARMOND. Division!

The committee divided; and there were—ayes 41, yeas 68.

So the amendment was rejected.

Mr. DE ARMOND. I offer another amendment.

The Clerk read as follows:

Amend by inserting a new paragraph, as follows:

"All purchases shall, so far as may be practicable, be made at prices and upon terms as favorable as those that Americans give to foreign customers."

The CHAIRMAN. The question is on the amendment.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. DE ARMOND. Division!

The committee divided; and there were—ayes 45, yeas 62.

Mr. DE ARMOND. Tellers!

Tellers were ordered.

The CHAIRMAN. The gentleman from New York [Mr. LITTAUER] and the gentleman from Missouri [Mr. DE ARMOND] will please take their places as tellers.

Mr. TOWNE. Mr. Chairman, may we have that amendment reported again?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again reported.

The committee again divided; and tellers reported—ayes 63, yeas 81.

So the amendment was rejected.

The Clerk read as follows:

The provisions of the act entitled "An act relating to the limitations of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia," approved August 1, 1892, shall not apply in the construction of the isthmian canal within the Canal Zone.

Mr. McNARY. A point of order.

Mr. WILLIAMS. I make a point of order that the language on page 16, lines 3 to 8, inclusive, is a change of existing law.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

At the Western Branch at Leavenworth, Kans.: For household, including the same objects specified under this head for the Central Branch in the sundry civil appropriation act for the fiscal year 1906, \$7,000.

At the Danville Branch, Danville, Ill.: For household, including the same objects specified under this head for the Central Branch in the sundry civil appropriation act for the fiscal year 1906, \$4,000.

For hospital, including the same objects specified under this head for the Central Branch in the sundry civil appropriation act for the fiscal year 1906, \$3,500.

At the Mountain Branch, Johnson City, Tenn.: For transportation of members of the Home, \$3,000.

For completion of coal shed, \$1,000, and said coal shed may be constructed of steel or other suitable material.

At the Southern Branch, Hampton, Va.: For dredging and filling, \$21,000.

Mr. LITTLEFIELD. I move to strike out the last word. I would like to inquire of the gentleman in charge of the bill whether these items were properly apportioned; and if so, whether the officers having in charge these expenditures properly waived them. Just a statement as to how these deficiencies arose.

Mr. LITTAUER. In each one of these National Homes we were advised that the appropriation had been apportioned and waived under special circumstances, and the necessity for each one of these deficiencies was demonstrated to us.

Mr. LITTLEFIELD. And had been properly waived by the officer in charge in writing?

Mr. LITTAUER. They were apportioned; as to the proper waiver I must take them up singly. In the Danville Branch the apportionment was made in accordance with the provision of section 3679 of the Revised Statutes, and waived by the president of the Board of Managers.

Mr. LITTLEFIELD. They were all waived properly. That is the only inquiry I have to make. I withdraw the pro forma amendment.

The Clerk read as follows:

State or Territorial Homes for Disabled Soldiers and Sailors: For continuing aid to State or Territorial Homes for the support of disabled volunteer soldiers, in conformity with the act approved August 27, 1888, including all classes of soldiers admissible to the National Home for Disabled Volunteer Soldiers, on account of the fiscal year 1905, \$188,879.87: *Provided*, That no part of this appropriation shall be apportioned to any State or Territorial Home until its laws, rules, or regulations respecting the pensions of its inmates be made to conform to the provisions of section 4 of an act approved March 3, 1883, entitled "An act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes;"

but the above proviso shall not apply to any State or Territorial Home into which the wives or widows of soldiers are admitted and maintained: *And provided further*, That no part of this appropriation shall be apportioned to any State or Territorial Home that maintains a bar or canteen where intoxicating liquors are sold.

Mr. GOULDEN. Mr. Chairman, on page 18, line 2, I move to strike out the proviso that no part of this appropriation shall be appropriated for State or Territorial Homes where intoxicating liquors are sold.

The CHAIRMAN. The gentleman from New York moves an amendment, which the Clerk will report.

The Clerk read as follows:

On page 18, lines 2 to 5, inclusive, strike out the proviso which reads as follows: "*And provided further*, That no part of this appropriation shall be apportioned to any State or Territorial Home that maintains a bar or canteen where intoxicating liquors are sold."

Mr. LITTAUER. I beg to call the attention of the gentleman making this motion to the fact that this paragraph concerns a deficiency made in the year 1905, on account of that fiscal year, and that consequently his amendment would not seem to be in order in connection with that deficiency.

Mr. GOULDEN. Very well; I will withdraw the amendment now, but shall offer it later on the regular appropriation bill.

Mr. LITTLEFIELD. The amendment is withdrawn.

Mr. CRUMPACKER. Mr. Chairman, the amendment has been withdrawn, so that I have nothing to say. I am somewhat familiar with this provision in the statute, and am opposed to its being stricken out.

Mr. SHERLEY. I renew the amendment.

Mr. PERKINS. Mr. Chairman, I should like to say that I think the gentleman from New York [Mr. LITTAUER] is wrong in his suggestion. The limitation was put upon the money appropriated. It seems it was only sufficient for nine months; but that limitation put upon the previous appropriation certainly does not bear at all upon any subsequent or further appropriation required to carry on the expenses of the Home until July 30, 1906.

Mr. TAWNEY. The gentleman from New York has misunderstood his colleague in charge of the bill [Mr. LITTAUER]. This money has already been earned during the fiscal year 1905.

Mr. PERKINS. When did the fiscal year 1905 end?

Mr. TAWNEY. The fiscal year 1905 ended on the 30th of June last.

Mr. PERKINS. How was it earned?

Mr. TAWNEY. Under the provisions of law.

Mr. PERKINS. Under a prior act?

Mr. TAWNEY. The appropriation was not sufficient to meet the expenditure, and this is to make up the deficiency and to pay an amount earned during that fiscal year.

Mr. PERKINS. You refer to an amount that became due on June 30, 1905?

Mr. TAWNEY. Yes.

Mr. PERKINS. Now, I will take advantage of my motion to ask a further question which, perhaps, is not of importance now, but may be in the future. I ask the gentleman what is his observation, if he has any, as to the effect of doing away with the canteen in these Soldiers' Homes? Has it had the same effect that has been produced by doing away with the canteen in Army posts?

Mr. LITTAUER. As far as I have learned it has had that same effect, and I believe that in the future the provision ought to come out of the appropriation bill.

Mr. PERKINS. I thank the gentleman.

Mr. CRUMPACKER. This provision has no reference to National Military Homes. It applies only to State homes, which admit the wives and widows of soldiers. An exception was wisely and properly made in relation to such homes. The gentleman from California [Mr. BELL], in the last Congress, made an argument that I regarded as unanswerable in favor of this provision as applicable to State homes. Those homes are constructed and maintained under State authority altogether. The Congress, in 1888, passed a law providing that \$100 for each soldier maintained in a State home should be contributed from the Federal Treasury toward the maintenance of the soldiers, and I do not believe that Congress now ought to change in any way this benefaction or donation toward assisting the States in the maintenance of these institutions. But I want to disabuse the minds of gentlemen by stating that this provision applies only to State Homes and not to National Homes at all.

Mr. LITTAUER. Will you permit me, however, to call your attention to the fact that these provisos have all been observed in connection with the deficiency herein reported?

Mr. CRUMPACKER. They ought to have been, in relation to State Homes.

Mr. LITTAUER. And they were, under the law.

Mr. CRUMPACKER. And properly so.

Mr. LITTAUER. And the appropriation was found to be short the amount herein stated?

Mr. CRUMPACKER. Certainly. I simply rose to say that this proviso had no reference or application to National Military Homes.

Mr. TAWNEY. The canteen is not prohibited in National Military Homes.

Mr. CRUMPACKER. No; so that there is no question between the gentleman from New York and myself on that proposition.

Mr. SHERLEY. Mr. Chairman, a parliamentary inquiry. Is the amendment which was suggested on page 18 before the committee or has it been withdrawn?

Mr. TAWNEY. The amendment was withdrawn, and there is nothing now before the committee.

Mr. SHERLEY. Then, Mr. Chairman, I offer an amendment, on page 18, line 2, to strike out all the words, beginning with "And provided further," to the end of the paragraph. Now the gentleman can discuss his point of order.

Mr. TAWNEY. There is no point of order made against it.

Mr. SHERLEY. There was a suggestion that it would not be in order.

Mr. TAWNEY. The statement was made that an amendment would be of no effect, because this money has all been earned by the State Homes under the limitation during the fiscal year ending June 30, 1905. This is to pay the balance which the Government owes to these State Homes under the terms of the law, because the appropriations for that fiscal year were not large enough. That fiscal year expired June 30, 1905. This is an appropriation for that deficiency. This does not relate to the future of the Home or to this fiscal year or the next fiscal year.

Mr. SHERLEY. I understand, Mr. Chairman, that it does not, but it does give this House an opportunity to go on record on a very important matter. For that reason I desire to have the amendment passed upon by the committee. In that connection I desire to say simply this: The day has gone by when it ought to be necessary to discuss before an intelligent audience the merits or demerits of the canteen, either in the Army or the Soldiers' Home. If it was possible to surround an Army post or a Soldiers' Home with prohibition over so great an area that the inmates of the Home, or the men in the Army, could not obtain liquor, then there would at least be as much to be said in behalf of legislation abolishing the canteen as there would on the general question of prohibition. But the practical effect of such legislation is that it has turned the soldier in the Home and the soldiers in the Army from the canteen and forced him to go to houses of ill-repute, where he is not surrounded with restrictions and his appetite is unrestrained, where, instead of having any protection, he has ample opportunity to be intemperate and become the victim of drunkenness.

There is no man within the sound of my voice, with few exceptions, but believes that this is true, but, unfortunately, the statement once made by a Senator from my State that "whisky had no enemies in the cloakroom and no friends on the floor," seems to be frequently true, judging by the legislation of the House. [Laughter.] We have been hypocrites to permit ourselves to vote for legislation that in our secret souls we did not believe in, because of the pressure of misguided but good people on the outside, and I want to give this House an opportunity, as long as I am a Member of it, every time to vote on the question of whether we are to stifle our intelligence because of pressure that is brought to bear by temperance unions on the outside.

Mr. TAWNEY. Mr. Chairman, if the gentleman will permit me, I will say that it is immaterial whether his amendment is voted up or voted down. I do not think the gentleman obtains any expression of opinion in securing a vote on this proposition. If the gentleman will withdraw his amendment and offer it when it is proposed to appropriate for the next fiscal year for these State Homes, and the bill should carry this provision, then he will have an opportunity of testing the real sentiment of this House. But for myself it is immaterial how we vote on the proposition now, because the paragraph or proviso is entirely immaterial and would have been dropped out had it not been overlooked in the preparation of the bill.

Mr. SHERLEY. It is of some value for this House, the first chance it gets, to go on record against this specially hypocritical legislation.

Mr. CRUMPACKER. Mr. Chairman, I would like to ask the gentleman if he has any information as to the operation of the canteen on Soldiers' Homes, and particularly on institutions used by the several States and maintained by the States?

Mr. SHERLEY. I will answer that I have made no recent investigation, but when the subject was up for discussion last

year and immediately subsequent to this legislation I did receive considerable information touching the matter, and that information went to show that what had been true in regard to the Army was true in regard to Soldiers' Homes—that the men were turned outside of the Homes to saloons, where they could get all the liquor they wanted and where they got drunk; that instead of drinking in the canteen, where there were proper restrictions, they went outside of the Homes and got into a worse condition of drunkenness than was ever known before.

Mr. CRUMPACKER. Did the gentleman make any inquiry on the subject in relation to the State Homes?

Mr. SHERLEY. I am speaking of them.

Mr. CRUMPACKER. Let me ask the gentleman if there is a State Home in his State?

Mr. SHERLEY. I do not recall that there is. There is not in my district.

Mr. CRUMPACKER. I think there is not.

Mr. LITTLEFIELD. Mr. Chairman, is it necessary to move to strike out the last word or the last two words?

The CHAIRMAN. The amendment has not yet been opposed. The gentleman is recognized for that purpose.

Mr. LITTLEFIELD. Very well. I have a suggestion I just want to make. I have not had the pleasure, although I have sat right exactly below my distinguished friend the gentleman from Kentucky [Mr. SHERLEY], of listening to his usual and customary assault on this legislation. I have assumed, however, that it is a repetition of the speech I frequently heard him make—that is, full of intemperate assertions, and, I undertake to say, ill-considered suggestions. Now, when the time comes and the sense of this House needs to be taken, I hope it will be under circumstances when we will get the sense of the House, and if they want to assail this legislation under proper conditions, we will try to be prepared to give the House some information on the question, and not ask the House to sit here and be dubbed as hypocrites by my distinguished friend from Kentucky [Mr. SHERLEY]—and I suppose he puts himself in the category, because he referred to "us"—and be influenced by inflammatory assertions such as my friend continually and always makes, induced undoubtedly to a large extent by the territory from which he happens to come, and possibly my view may be induced to a large extent by the territory from which I happen to come. But when the time comes, when it is properly in order and we can discuss this, we will endeavor to give the House some information on this question, so that it can act intelligently and not act on the spur of the moment. I hope that the gentleman's amendment, under these circumstances, will be voted down, and that we will not reverse the policy of this House which it has adopted for the last two or three sessions, although I agree with the chairman of the committee, the gentleman from Minnesota [Mr. TAWNEY], that the vote under these circumstances is not particularly significant one way or the other. When the time comes, however, I shall be very glad to go over the matter carefully with my friend.

Mr. SHERLEY. Mr. Chairman, doubtless the House appreciates that it is unwise in ever taking any action without a final, exhaustive statement from the gentleman from Maine [Mr. LITTLEFIELD]. I am exceedingly sorry that any views I may have and may see fit to express should meet with the severe condemnation and arraignment of the distinguished gentleman. Notwithstanding his attempt to impugn my motive because of the district I represent, notwithstanding the statement that my arguments are ill conceived and are not the result of that reflection which always characterizes the distinguished gentleman when he makes a speech, I still submit to the House that this is not a new question. It is not a question, even, that is necessarily confined for its proper determination to the wisdom of the gentleman from Maine [Mr. LITTLEFIELD], and it did seem to me that it was proper that this House should now consider this, even if it has no practical effect. The moral effect of the committee's action would be great. I have tried not to be intemperate on the matter.

The gentleman says I speak always on the subject. I have never spoken before on the subject save once when the matter was brought into the House by the amendment that was put on the bill last year by the gentleman from California [Mr. BELL], and I doubt if there is a gentleman in this House who has been more persistent in his views of prohibition and who has haunted them more repeatedly in the face of the House than the gentleman from Maine [Mr. LITTLEFIELD]. Nobody took exception; nobody impugned his motives. I am willing to concede that he is perfectly sincere; that the fact that his district is a prohibition district and the political sentiment is in favor of prohibition has nothing to do with his motives. I would not be guilty of making the inference that he makes to those who differ from him; but this is aside from the question.

It is the first time that I have had occasion to make what might be called a "personal" reply relative to any position I may take. In my statement that the House had been hypocritical I did not have the distinguished gentleman in mind. It is possible to sometimes think of the House without having him in mind. I do know that a lot of us have been hypocritical about a lot of questions, and it seemed to me only fair and frank to say so.

Mr. GOULDEN. Mr. Chairman, I have no desire to enter into a discussion of this question at this time on account of the position taken by the Committee on Appropriations that it is not in order, but as a member of the board of the New York State Soldiers and Sailors' Home for the past five years, I possess practical information which at the proper time I shall gladly give to the House. I desire to say at this time that it has been the law to allow these canteens to be conducted in State Homes as they are in the National Homes since their establishment. Two years ago the gentleman from California [Mr. BELL] made a statement here which was afterwards verified by myself, that at the Home in California the canteen was badly conducted—in fact, was a disgrace. Hence, at the time I permitted the gentleman from California to introduce that rider to the appropriation bill and did not oppose it. I will at the proper time give the resolutions adopted by the board of trustees of the New York State Soldiers and Sailors' Home, as well as the views of the officials connected with that Home. I simply give this information to the House now for the information of the Members and serve notice that I shall at the proper time fully discuss the subject, giving good and convincing reasons for the proposed reestablishment of the canteen in the State Homes for the soldiers and sailors of the civil war.

Mr. TIRRELL. Mr. Chairman, I heard the distinguished gentleman from Kentucky [Mr. SHERLEY] say that there were no State Homes in the State of Kentucky, and therefore he can not have any personal information unless he has investigated outside of that State as to the condition of affairs relative to the sale or use of liquors in State Homes. I desire, however, to say a word in corroboration of what the gentleman from Maine [Mr. LITTLEFIELD] has advanced, because I have information from the Soldiers' Home there which will sustain the position that he has maintained. Two or three years ago I sent my partner to Togus, Me., to the Soldiers' Home located there, for the purpose of taking a deposition. In order to reach that place it is necessary to take a steamer and go up the Kennebec River. That steamer had perhaps half a dozen passengers on board, but it was loaded down with liquors for the Soldiers' Home. When he arrived there to his astonishment he found on the grounds of that Home a canteen and a stream of old veterans constantly passing in to obtain liquor, and, still more to his surprise, he found upon the other side of the State, within the precincts of the Soldiers' Home, a Keeley cure. On one side they were making drunkards and on the other side they were trying to cure them of drunkenness.

Mr. CRUMPACKER. In what State does that exist?

Mr. TIRRELL. In the State of Maine. I think that statement alone of such a disgraceful condition of things, partially authorized at least by our Government, is sufficient to vote down any amendment to strike out this clause of the bill.

Mr. LITTAUER. Mr. Chairman, I want the committee to distinctly understand, whether they vote for or against this amendment, that such action can not in any way prejudice the deficiency that exists and is provided for in this paragraph under the law. I personally sympathize with the objects of the gentleman from Kentucky, and I hope that some day I may be able to vote in an effective manner to carry out his stated purpose. [Applause.] But what is the use at this time of striking into the empty air?

Mr. FOSTER of Vermont. Mr. Chairman, it seems to me there is no connection between the provision of this section and the question of the Army canteen to which attention has been called by the gentleman from Kentucky. The question of the Army canteen is one entirely foreign to this proposition. The Soldiers' Homes are eleemosynary institutions, charitable institutions, and there is no sense in claiming that because there are old soldiers who desire and deserve to attend these charitable institutions the Government and the State should maintain a bar at which they can get their drinks. The condition of the American soldier is an entirely different situation. If it is true that cutting out the Army canteen has resulted in drunkenness among the American soldiery, as the gentleman from Kentucky intimates, we should give the matter our immediate and thoughtful attention. But that is not the question here. We take care of those old soldiers in these institutions because they have not the means with which to provide for themselves, and it is perfectly ridiculous for the gentleman from Kentucky or

any other State in the Union to stand up and say we can not maintain order and keep these people from getting drunk unless we maintain a bar for them. If we can not keep them in health and comfort without maintaining a bar, if they can not lead orderly and sober lives there when they are cared for at the expense of the Government and the State, they should be permitted to go forth and look for themselves. [Applause.]

Mr. TAWNEY. Mr. Chairman, I offer as a substitute to the amendment on page 17, line 17, to strike out after the word "cents" the remainder of the paragraph.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Strike out all the paragraph beginning with the word "Provided" on line 17, page 17, down to and including the word "sold," line 5, page 18.

The CHAIRMAN. The question is on the substitute to the amendment.

Mr. BUTLER of Pennsylvania. What is the purpose of the substitute to the amendment?

Mr. TAWNEY. The purpose of the substitute is to strike out the language of the bill which is entirely immaterial. It is the custom in reporting a deficiency appropriation to quote the entire law under which the original appropriation was made. My amendment simply eliminates the language that is not material, because it relates to a deficiency that occurred in the fiscal year 1905.

Mr. BUTLER of Pennsylvania. I want to ask the gentleman another question. Does your substitute include this language, "that no part of this appropriation shall be apportioned to any State or Territorial Home," etc.?

Mr. TAWNEY. It strikes that out; but I will say to the gentleman from Pennsylvania this—he does not understand it—

Mr. BUTLER of Pennsylvania. I want to understand it; that is my purpose.

Mr. TAWNEY. If you will give me your attention for a moment—

Mr. BUTLER of Pennsylvania. I can listen with the side of my head toward the gentleman.

Mr. TAWNEY. The appropriation for the fiscal year 1905 was not sufficient to meet the obligations of the Government to these State Homes. Now that fiscal year has passed. This money has been earned by all the State Homes, and we are now appropriating for that deficiency.

Mr. BUTLER of Pennsylvania. Mr. Chairman, the bill reported from the committee contained the provision that there should be no further rum in these Homes. If the gentleman will look or listen—

The CHAIRMAN. Will the gentleman from Minnesota give attention to the gentleman from Pennsylvania?

Mr. BUTLER of Pennsylvania. When the committee reported this bill the committee evidently intended that the provision which has been discussed for five or ten minutes should become a law. Do you propose now to strike it out?

Mr. TAWNEY. It is the law to-day.

Mr. BUTLER of Pennsylvania. Then why do you include it?

Mr. TAWNEY. Because, as I stated at the outset, it is the custom in reporting deficiency appropriations to repeat the language of the original appropriation.

Mr. BUTLER of Pennsylvania. The gentleman is always clear and polite in his statements. Now, let me ask him a question further. Does the condition proposed in this bill now prevail at these Homes?

Mr. TAWNEY. Yes.

Mr. BUTLER of Pennsylvania. And if this item succeeds, will this be the result, that no part of the appropriation made shall be apportioned to any State or Territorial Home that maintains a bar or canteen where intoxicating liquors are sold?

Mr. TAWNEY. It will be apportioned just as the law stands to-day.

Mr. BUTLER of Pennsylvania. But my friend can answer the question yes or no and satisfy me.

Mr. TAWNEY. It will be apportioned to Homes only that comply with the law as it stands on the statute book to-day.

Mr. BUTLER of Pennsylvania. Then there is no occasion for this provision. We already have the prohibitory law.

Mr. TAWNEY. None at all.

Mr. GROSVENOR rose.

Mr. CRUMPACKER. Mr. Chairman, I believe I have been recognized.

Mr. GROSVENOR. I just wanted to ask one question. The amount of it is this: There is no deficiency, nor money to be used, in any State Home in which there is a bar or canteen?

Mr. TAWNEY. None whatever.

Mr. GROSVENOR. Therefore this appropriation will go exactly as a limitation upon the original appropriation?

Mr. TAWNEY. Certainly it does; and that limitation stands as a law until it is repealed.

Mr. CRUMPACKER rose.

The CHAIRMAN. The gentleman from Indiana [Mr. CRUMPACKER] is recognized.

Mr. CRUMPACKER. Mr. Chairman, I fully agree with the gentleman from Minnesota, the chairman of the Committee on Appropriations, in his interpretation of the legal effect of his proposed amendment. This paragraph contains an appropriation to cover a deficiency that occurred during the fiscal year 1905, a year that has already passed and gone, so an appropriation covering that deficiency, without containing the limitations that were upon the original appropriation bill, probably would have been sufficient. But since the committee has seen fit to report the appropriation with the conditions contained in the original bill, and in view of the argument made by the gentleman from Kentucky [Mr. SHERLEY] that action here would have some moral effect, it may be construed by managers of Soldiers' Homes and by the public generally that it is the judgment of Congress that State Soldiers' Homes ought to be permitted to maintain canteens. The question is now so presented that this committee can not strike out the limitations upon the appropriation without having its action construed to mean that, in the judgment of the committee or the House of Representatives, the canteen ought to be reestablished and maintained at State Soldiers' Homes.

Mr. PERKINS. Will the gentleman kindly yield for a question? Mr. CRUMPACKER. Yes; for a question.

Mr. PERKINS. Suppose the committee, when they reported the bill, had omitted the section which is confessedly surplusage. What harm would it have done?

Mr. CRUMPACKER. None at all.

Mr. PERKINS. Then what harm is done by striking out the surplusage now?

Mr. CRUMPACKER. Simply because, Mr. Chairman, the argument has been made that this provision which the gentleman from New York denominates as surplusage ought to go out for the moral effect upon the country, to let the country know that it is the opinion of Congress that it was a mistake to abolish the canteen in State Soldiers' Homes. I have the honor to represent a district in the State of Indiana in which is located a Soldiers' Home that allows the wives and widows of veterans of the civil war to find shelter and protection, and the law of the State of Indiana prohibits the establishment and maintenance of saloons within a mile of that institution. This provision might go out without affecting the State Soldiers' Home at Lafayette, Ind. But I do believe, Mr. Chairman, in view of the argument that was made and the action of Congress a year ago and two years ago upon this question, that that action should not be reversed now, and the House ought to take no action that might be construed as a change of its judgment on the question until there has been a full, free, and thorough investigation and until we have had more information in respect to the influence of canteens upon these splendid institutions than we now have. Therefore I oppose the amendment of the gentleman from Minnesota. The provision he seeks to strike out was put in originally largely through the influence of Governor Lind, who represented the capital district in the State of Minnesota in the last Congress. I object to the amendment on account of the effect it would have—the interpretation the public would put on the action of Congress in this particular—and I sincerely hope it will be voted down.

Mr. LITTLEFIELD. I want to ask the gentleman from Indiana this question, so as to fix the effect of his argument before the committee. I understand your position to be this: That while it may be true, as a matter of law, in undertaking to control the disposition of this appropriation that it may not have been necessary for the committee to introduce this matter in the urgent deficiency bill, inasmuch as my distinguished friend from Kentucky raised the position that any construction by the committee would be regarded as a formal expression on the part of the House adverse to the legislation, and whether it had any effect or not it would look that action had been taken. Your view is that the construction that the country will get and the idea the men in the Homes will get will be the idea that the House is adversely inclined to this restriction.

Mr. CRUMPACKER. The gentleman has stated my views with admirable precision and clearness and much better than I could have said it.

Mr. LITTLEFIELD. I will say that if inadvertently I impugned the motives of the gentleman, my friend, a few moments ago I regret it very much. It seems to me that there is a great deal of force in the suggestion of the gentleman from Indiana. I do not think, after the explanation of the chairman of the committee, that this language is necessary. I am in-

clined to think that this urgent deficiency bill would have acted precisely as the appropriation carried before, but inasmuch as it was in the bill, I do not see how the House can avoid being placed on record, under these circumstances, if it goes out.

The CHAIRMAN. Debate is exhausted.

Mr. LITTLEFIELD. I move to strike out the last word.

Now, if it is to be considered as being adverse to this restriction upon the maintenance of canteens in State Homes, the gentleman from Vermont very appropriately said, and my distinguished friend thinks it does not affect the condition of the anticanteen with reference to the United States Army, but simply relates to the State Homes—we have none of them in my State and I know nothing about it. The people that do have them think it very unwise to allow a bar to be maintained by the people running these Homes; and that is the purpose of this restriction. Under these circumstances, while it may not be effective legislation on account of the moral effect that it would have, I certainly hope the House will decline to sustain the amendment and let the proviso stand exactly as it is.

Mr. TAWNEY. I wish to say that my purpose in offering this substitute for this paragraph was, if any of it should be eliminated, to eliminate all; but inasmuch as the Members of the House think that the construction of this provision is going to create an impression here or elsewhere as to what the impression and sentiment of this House is on the subject, I withdraw my amendment. [Loud applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky.

Mr. SHERLEY. Mr. Chairman—

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky, to strike out on page 18—

Mr. SHERLEY. Mr. Chairman, I rise for the purpose of saying that I want to suggest—

The CHAIRMAN. The gentleman has once been heard.

Mr. LITTLEFIELD. I ask unanimous consent that the gentleman be allowed to proceed.

Mr. SHERLEY. I am not going to debate the question. If the Chair will indulge me a few moments he will see that I am facilitating the committee and not handicapping it.

The CHAIRMAN. Without objection, the gentleman will proceed.

Mr. SHERLEY. I desire to say that inasmuch as some Members whose views accord with mine on this question do not feel it is wise to raise the question, whether it would have any practical effect, I withdraw the amendment I offered. [Loud applause.]

The CHAIRMAN. If there be no objection, the amendment will be withdrawn. The Chair hears none.

The Clerk read as follows:

NAVY DEPARTMENT.

To enable the Secretary of the Navy to complete the distribution of the medals commemorative of the naval and other engagements in the waters of the West Indies and on the shores of Cuba, to the officers and men of the Navy and Marine Corps who participated in any of said engagements, as provided by public resolution No. 17, approved March 3, 1901, \$10,000: *Provided*, That the medals herein authorized shall be delivered to the person entitled to the same at the place where he is located at the time of presenting the same.

Mr. LIVINGSTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Strike out all after the word "dollars," in line 19, and insert the following: "*Provided*, That the medals herein authorized shall be delivered at the place of residence to the person entitled to the same."

The CHAIRMAN. Will the gentleman from Georgia give his attention? Does the gentleman intend to strike out the proviso and insert what he sent up in its stead?

Mr. LIVINGSTON. Yes, sir.

The CHAIRMAN. Then it is so understood.

The question was taken, and the amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CURTIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 1365. An act providing for the placing of an elevator in the public building at Boise, Idaho.

URGENT DEFICIENCY APPROPRIATION.

The committee resumed its session.

The Clerk read as follows:

BUREAU OF EQUIPMENT.

Coal and transportation: Purchase of coal and other fuel for steamers and ships' use, and other equipment purposes, including expenses of transportation, storage, and handling the same, and for the general maintenance of naval coaling depots and coaling plants for the fiscal years as follows:

For the fiscal year 1906, \$500,000.

Mr. FITZGERALD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which will be reported by the Clerk.

The Clerk read as follows:

On page 19, line 6, add: "Provided, That the amount hereby appropriated shall be expended without regard to the provisions of an act approved April 28, 1904, entitled 'An act to require the employment of vessels of the United States for public purposes.'"

Mr. LITTAUER. Mr. Chairman, I make the point of order against that amendment that it is a change of existing law.

Mr. FITZGERALD. Mr. Chairman, all I wish to say on the point of order is that this amendment is a limitation upon the expenditure of this appropriation.

Mr. TAWNEY. It may be a limitation, but still it changes existing law.

The CHAIRMAN. The amendment is out of order. The Chair sustains the point of order.

Mr. MACON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment which the Clerk will report.

The Clerk read as follows:

Provided, That no part of said sum herein appropriated shall be used for the payment of transportation charges upon American vessels where said transportation charges are more than 20 per cent in excess of similar transportation charges upon foreign vessels.

Mr. LITTAUER. Mr. Chairman, a point of order against that amendment for the same reason as before.

Mr. MACON. Will the gentleman from New York withhold his point of order for a minute? I should like to be heard on the amendment.

Mr. LITTAUER. Does the gentleman desire to have me reserve the point of order?

Mr. MACON. Yes.

Mr. LITTAUER. I will reserve the point of order.

Mr. MACON. Mr. Chairman, I think that this amendment is only a limitation upon the appropriation, and I am inclined to think the Chair will say that; but still the Chair is better informed upon questions of that character than I am, and hence I am going to leave that part of the work to him.

The CHAIRMAN. Can the gentleman from Arkansas point the Chair to the statute upon this subject?

Mr. MACON. This simply seeks to limit the appropriation.

The CHAIRMAN. Not the amendment which the gentleman has submitted; but is there not a general statute upon the subject of carrying coal in American vessels?

Mr. MACON. There is a statute which provides that it shall be carried in American vessels, and I do not seek to say in this amendment that it shall not be carried in American vessels; but I simply want to call the attention of the House to the fact that in the hearings before the Committee on Appropriations it was shown that before Congress passed a law requiring coal to be transported upon American vessels—and we had the right to transport it upon foreign vessels—the price charged was only \$4.50 a ton. Since the passage of this law requiring the coal to be transported upon American vessels it has gone up 75 per cent, or, in other words, we have to pay at this good day and hour the sum of \$7.50 per ton. That, sir, in my judgment, works a great wrong upon the American people; and while they are willing to contribute something toward the building up of American vessels, I do not think they are willing to pay as much as 75 per cent extra for that purpose. I know it is not just to require them to do so. Therefore my amendment seeks to limit this appropriation to the point that whenever an American vessel will not carry coal for a sum not in excess of 20 per cent of the charge made by a foreign vessel, then no part of the appropriation shall be paid to such American vessel. It certainly will open their eyes and awaken them to a proper sense of the situation and cause them to be reasonable in their charges for the transportation of coal. [Applause.]

The CHAIRMAN. The Chair believes that the proviso offered by the gentleman from Arkansas may be a change of the statute of April 28, 1904, which is as follows:

[Public—No. 198.]

An act to require the employment of vessels of the United States for public purposes.

Be it enacted, etc., That vessels of the United States or belonging to the United States, and no others, shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable, in which case contracts shall be made under the law as it now exists: Provided, That no greater charges be made by such vessels for transportation of articles for the use of the said Army and Navy than are made by such vessels for transportation of like goods for private parties or companies.

Sec. 2. That this act shall take effect sixty days after its passage.

Approved April 28, 1904.

Of course the Chair does not desire to become involved in a discussion of the question of fact as to whether American vessels charge more than 20 per cent in excess of the amount charged for like service by foreign vessels, but believing that the amendment offered by the gentleman may work a change in existing law, the Chair will sustain the point of order.

Mr. RIXEY. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Provided, That no part of this appropriation shall be expended in the transportation of coal except upon contracts to the lowest bidders after due advertisement inviting full and free competition from all sources, and if it appears from said bids that the discrepancy in charges is more than 10 per cent higher in American bottoms the facts shall be laid before the President for his opinion as to whether the charges are not excessive and unreasonable.

Mr. LITTAUER. To that, Mr. Chairman, I make the point of order.

Mr. RIXEY. I would like to be heard, Mr. Chairman, on the point of order. Mr. Chairman, the law referred to by the Chair just now provides that—

Vessels of the United States, or belonging to the United States, and no others, shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable, in which case contracts shall be made under the law as it now exists: Provided, That no greater charges be made by such vessels for transportation of articles for the use of the said Army and Navy than are made by such vessels for transportation of like goods for private parties or companies.

The amendment which I send to the desk provides that when the evidence shows that the charges for carrying coal in American bottoms is more than 10 per cent of what it would be if put out to competitive bids the facts shall be laid before the President in order that he may decide as to whether the charges by the owners of the American ships are unreasonable. The amendment does not change existing law. It simply directs that the bureau chief shall lay the facts before the President in order that he, in compliance with this law, may decide whether the charges are excessive and unreasonable. If he holds that they are excessive, then the law which was enacted more than a year ago directs that the contract need not be given to American ships. That is all, Mr. Chairman, I care to say on the point of order.

The CHAIRMAN. For the same reasons the Chair gave in the previous ruling the Chair sustains the point of order.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from New York in charge of the bill what is this \$710,000 for?

Mr. LITTAUER. The entire appropriation is \$710,000, composed of \$210,000 which represents a deficiency for 1905.

Mr. PERKINS. Deficiency in what?

Mr. LITTAUER. Deficiency certified to by the Department for the purchase of coal and its transportation, and \$500,000 represents an anticipated deficiency during the present fiscal year, the apportionments having been made and waived by the Secretary of the Navy.

Mr. PERKINS. Does it include coal and the transportation of coal for the Philippines?

Mr. LITTAUER. Yes; in part coal and in part transportation to the Philippines, the Asiatic stations, and to coal depositories along the Atlantic and Pacific seaboard.

Mr. PERKINS. Mr. Chairman, I withdraw the pro forma amendment.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I would like to ask the gentleman from New York an explanation of this deficiency. Have there been any unforeseen conditions since the original appropriation was made for the year 1906? And, if so, I would be glad if the gentleman would give the House the benefit of his information.

Mr. LITTAUER. Is the gentleman referring now to the deficiency for 1905 or for the current fiscal year?

Mr. WILLIAM W. KITCHIN. For both; I see that one follows the other.

Mr. LITTAUER. For 1905 the explanation is that that amount of coal was purchased and was transported, and that there is \$210,000 now due because thereof. The 1906 deficiency, which is controlled by the new law demanding an apportionment. The apportionment has been waived for the reasons that the amount of coal in the Philippines station had run very low, and it was necessary to replenish it, and in addition because many coaling stations had been established along our coast, in the West Indies, at Guantanamo, San Juan, Narragansett Bay, and Key West. The Department thought it necessary to accumulate a stock of coal at these places, and in consequence the appropriation of \$2,750,000 was not sufficient. The Department submitted an anticipated deficiency of \$1,250,000, which in our judgment was excessive. We determined that

\$500,000 would be quite enough to carry out the administration of this fund during the current fiscal year, and so recommended to the House.

Mr. WILLIAM W. KITCHIN. Does the gentleman mean by that statement that the Department has seen fit, or necessity has arisen, to purchase more coal than the Department originally recommended, or has this deficiency been caused in part, and if so, what part, by the increased price in the transportation rates?

Mr. LITTAUER. Both of these deficiencies have in part been caused by the increased price of transportation rates.

Mr. WILLIAM W. KITCHIN. That is a point on which I would like to have an explanation. What part has been caused by increased price of transportation?

Mr. LITTAUER. We were advised that during the year 1905 50,000 tons were transported to the Asiatic stations, the Philippines, and others at an increased cost of about \$2.62 a ton on the average. During 1905 coal which had cost \$662,000, at the rate of \$2.50 per ton alongside the wharf, cost for transportation \$930,000, and this increased expenditure was caused because of the law requiring transportation in American ships.

Mr. WILLIAM W. KITCHIN. Is it a fact, as has been stated here this afternoon by another Member, that the increased price in transportation per ton has been in the neighborhood of \$3?

Mr. LITTAUER. It was increased, as we were informed, from about \$4.87 a ton to \$7 or \$7.50 a ton under the operation of law.

Mr. WILLIAM W. KITCHIN. Something over \$2.50 per ton, owing to that law.

Mr. LITTAUER. Yes.

Mr. WILLIAM W. KITCHIN. That amounts to how much in a year?

Mr. LITTAUER. I can only tell the gentleman that during the year 1905 we were informed that 50,000 tons of coal were so transported.

Mr. WILLIAM W. KITCHIN. During that year the increase must have been something over \$120,000.

Mr. LITTAUER. Yes; the deficiency asked for is \$210,000.

Mr. WILLIAM W. KITCHIN. Has the gentleman or his committee anything to recommend to relieve such a situation?

Mr. LITTAUER. Simply the amendment which the committee has proposed to insert in the last paragraph of this bill, amending section 3797, which will restrict the waiver of appropriation in the future as far as we believe good administration will permit.

Mr. WILLIAM W. KITCHIN. Nothing in that amendment will tend to reduce the price of transportation on coal, will it, or relieve the necessity of shipping in American bottoms, although the increased price is \$2.50 a ton?

Mr. LITTAUER. The Appropriations Committee is not constantly concerned with the change of existing laws. If the Naval Committee desires to take up such a matter and correct the abuses that become evident under the operation of law, it has its opportunity in turn.

Mr. WILLIAM W. KITCHIN. I desire to state to the gentleman that my recollection is that this original law which caused this great increase in transportation rates did not come from the Committee on Naval Affairs.

Mr. LITTAUER. No; I believe it came from the Committee on Merchant Marine and Fisheries.

Mr. WILLIAM W. KITCHIN. I am not prepared to state. It seems to me a very grievous error.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert at the end of line 6, page 19, the words: "Provided, That no part of the amount hereby appropriated shall be expended for transporting coal between New York, N. Y., and Manila, P. I., at a rate greater than \$5 a ton."

Mr. LITTAUER. Mr. Chairman, I make the point of order against the amendment. It changes existing law.

Mr. FITZGERALD. Mr. Chairman, I think it is clearly a limitation upon this appropriation.

The CHAIRMAN. Is there any present statutory provision upon the subject?

Mr. FITZGERALD. None other than the law.

Mr. LITTAUER. This is fixing a price for work now already provided for by law.

Mr. LITTLEFIELD. The discretion as to which is expressly vested in the President, and this deprives him of that discretion.

Mr. LITTAUER. It seems to me that we already have a provision of law placing it within the discretion of the President

to make any exceptions when coal shall not be transported in American bottoms.

The CHAIRMAN. Can the gentleman from New York [Mr. LITTAUER] point me to any statute relating to this transportation other than the one to which he has referred? The Chair rather inclines to the opinion that this is a limitation.

Mr. LITTAUER. I ask, then, that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection; and the Clerk again reported the amendment.

The CHAIRMAN. The Chair overrules the point of order.

Mr. FITZGERALD. Mr. Chairman, this is an important question. It transpired in the hearings before the Committee on Appropriations that so long as it had been possible to accept bids of foreign shipowners it was possible to transport coal from Atlantic coast ports to Manila for \$4.50 a ton. The highest price ever paid while it was possible to transport in foreign bottoms was \$4.87 a ton. On the 28th of April, 1904, a law was enacted providing "that vessels of the United States or belonging to the United States, and no others, should be used in the transportation by sea of coal, provisions, fodder, or supplies of any description purchased pursuant to the law for the use of the Army and Navy, unless the President shall find that the rates of freight charges by said vessels are unreasonable and excessive."

After that law went into effect and it became necessary to transport coal in American vessels the cost of transporting coal from Atlantic coast ports to Manila increased from \$4.50 a ton to \$7.50 a ton. The next item in this bill is an appropriation of \$210,000 for transportation of coal for the fiscal year 1905. One hundred and fifty thousand dollars of that sum is required because of the passage of the law just mentioned. During the fiscal year 1905 144,000 tons of coal were sent from New York to the Philippine Islands. Ninety thousand tons were sent in foreign bottoms at \$4.50 a ton and 50,000 tons were sent in American bottoms at \$7.50 a ton. Coal that cost the Government of the United States and this country about \$360,000 cost to transport to the Philippine Islands \$900,000, and if this law had been in effect, so that the 90,000 tons transported in foreign bottoms had been transported in American bottoms, it would have cost more than \$1,200,000 to transport \$360,000 worth of coal to Manila. This law of April 28, 1904, provides that American vessels shall be used unless the President shall find the price excessive.

The Chief of the Bureau of Equipment testified that his Bureau is to-day receiving bids from foreign shipowners to transport this coal at \$4.50 a ton. He also states that it is unnecessary for American shipowners to enter a combination, because the prices that they are now charging the Government are so high that there is no necessity for a combination to take advantage of the Government. If this amendment be adopted it will enable the American shipowners to obtain an increase over the price that foreign shipowners are willing to charge of 50 cents a ton. This is about an 11 per cent increase. There is nothing in this law which shows how great an increase in the cost will be considered unreasonable, and, whatever excuse there may be for legislation to encourage the American merchant marine, I am unable to see any justification for appropriations that, under the operations of this act, compel the great mass of the American people to contribute to the enrichment of a very restricted class of citizens owning ships. Mr. Chairman, if this amendment be adopted, instead of using the \$500,000 provided in the item now before the House, it is very likely that at least \$250,000 will be saved to the Government. I am not aware that the country is in such a prosperous condition that we can afford to pay these excessive prices and to squander money in this way.

Mr. LITTAUER. Mr. Chairman, if this amendment be adopted I do not believe that the Government would save one cent. The only object of the amendment is an attempt by the gentleman from New York to limit the shipment of coal from the port of New York. His amendment declares that only \$5 per ton shall be paid on the shipment of coal from New York, N. Y., to Manila, P. I. Now, coal is generally shipped from other ports than New York, N. Y. Our principal ports of coal supply are the Chesapeake Bay, Baltimore, Newport News, and Lambert's Point, consequently it amounts simply to an attempt at a limitation in connection with the port of New York, N. Y.

Mr. FITZGERALD. Mr. Chairman, I will change the amendment I sent up.

Mr. LITTAUER. And I do not believe that the object sought to be achieved here would be anything but a matter of bothera-

tion to the Department; that it would achieve no good result. We have a law which specifically states that this coal is to be transported in American bottoms—

Mr. LITTLEFIELD. And the price is regulated in the discretion of the President.

Mr. LITTAUER. And the price is regulated within the discretion of the President as far as the application of the law goes.

The CHAIRMAN. Is there objection to the gentleman from New York withdrawing his amendment and substituting another in its place? [After a pause.] The Chair hears no objection. Now, will the gentleman submit the amendment in the form he desires?

The Clerk read as follows:

Insert after "New York" the words "and other ports on the Atlantic coast of the United States."

Mr. LITTAUER. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The gentleman from New York makes the point of order against the amendment.

Mr. GROSVENOR rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GROSVENOR. I rose to oppose this amendment.

The CHAIRMAN. The Chair will dispose of the point of order first.

Mr. GROSVENOR. I hope the Chair will sustain the point of order and relieve me of the responsibility.

The CHAIRMAN. The modified amendment does not change the amendment, it seems to the Chair, and the point of order is overruled.

Mr. RIXEY. Mr. Chairman, if this amendment is adopted it will not, in my opinion, affect the efficiency in any way of the naval establishment. The hearings before the Committee on Appropriations show that at the beginning of the present fiscal year there were at Manila only 7,000 tons of coal. Since that time the Department has sent to Manila enough coal to furnish our ships with what they needed and to provide a depot there with a surplus of from sixty to seventy thousand tons of coal. There is now that quantity at Manila—more than sufficient to answer all of our purposes at the place during the present fiscal year even if not another ton is sent there.

Mr. TAWNEY. I would say that that is the judgment also of the Committee on Appropriations, and one of the reasons why we reduced the estimates.

Mr. RIXEY. I am glad to hear the statement of the chairman of the committee.

Mr. BUTLER of Pennsylvania. How much coal did the gentleman say the Government now has at Manila?

Mr. TAWNEY. Sixty thousand to 70,000 tons.

Mr. BUTLER of Pennsylvania. That is a good bit of coal.

Mr. RIXEY. Now, Mr. Chairman, I am glad to hear the statement of the chairman of the Appropriations Committee that we have that quantity of coal there, and that it is more than enough to carry us until the 1st day of July, 1906. Therefore there is no necessity for us to hire any more American ships during this year to carry the coal to Manila at an exorbitant price. If these American ships are willing to carry it there at a dollar a ton more than we pay to foreign ships, then there is no prohibition upon the Department preventing it from adding to this supply, already large enough however; but if the American bottoms will not carry the coal to the Philippine Islands for \$5 a ton, which is \$1 per ton more than it would cost in foreign bottoms, and more than we paid when the present law went into operation, then the Department would not be embarrassed, because we have sufficient coal there to answer our purpose until after the end of the present fiscal year.

Mr. LITTAUER. I would like to call the attention of the gentleman to some testimony in the hearings.

The CHAIRMAN. Does the gentleman from Virginia [Mr. RIXEY] yield to the gentleman from New York?

Mr. RIXEY. Yes.

Mr. LITTAUER. On page 107 Admiral Manney states:

We have to continue the purchase, but not to such an extent. For instance, at Manila 9,000 tons a month is about what they draw on the Cavite station. But when we are stocking up, putting in 70,000 tons a year where there was but 7,000 tons, the expenditure is greater than when we were just keeping up the supply.

Mr. RIXEY. Will not the gentleman also refer to page 106, where the statement is made:

And that increased the deposit to between 60,000 and 70,000 tons, which amount we now have there.

Mr. LITTAUER. That is not sufficient at the rate of 9,000 tons a month.

Mr. RIXEY. To carry us until July? I think so.

Mr. LITTAUER. It is, of course; but we can not permit our entire coal supply there to be wiped out. The gentleman knows that it takes months to replenish it. Any accident on the way might delay or injure the service of the Navy.

Mr. RIXEY. If we did not get another ton there between this time and the 1st of July, we would have then more coal in the Philippine Islands than was there the 1st day of last July.

Mr. LITTAUER. I quite agree with the gentleman.

Mr. RIXEY. We can not afford to go on piling up this coal at Manila at this enormous cost of transportation and to the extent that the Navy Department wishes. For instance, in the hearings it is stated that the General Board of the Navy Department recommends that there should be a depot there with a stock on hand of 200,000 tons. Unless some protection is afforded against exorbitant charges for freight we should call a halt, and we can do so and still have at Manila a sufficient supply for all purposes.

Now, Mr. Chairman, I agree with the gentlemen in this House who hold that the rehabilitation of the merchant marine is one of the greatest and most important problems before the country to-day; but the statement was made before the Naval Committee by Admiral Manney that since the law went into operation providing that coal should only be shipped in American bottoms the number of ships at the service of the Government was less than when the law went into operation. He stated that the American steamers had so much of other business to attend to that they did not care for this; that there was practically no competition; and it is the opinion, so far as I can see, of the bureau chiefs that there ought to be some provision made by Congress which would protect the Government against extortionate freight charges and bring some competition in the bids. This unrestricted law that all coal for the Government shall be carried in American bottoms seems not to build up the merchant marine, but does cost many hundreds of thousands of dollars, and there should be some limit fixed for the protection of the Government.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. RIXEY] has expired.

Mr. GROSVENOR. I think if the gentleman from Virginia [Mr. RIXEY] would understand this entire question he would not favor the amendment that he has proposed. I speak only on one phase of the question, leaving the discussion of the fairness or unfairness of the prices asked by the American ships for this transportation to other gentlemen. If I wanted to close up all the mines of the American continent from New York to Galveston, situated upon all the streams emptying into the Atlantic ocean, so as to stop their output from going to the oriental markets, I would favor this amendment; for not one ton of coal will ever be shipped to the Orient if that sort of limitation is put upon it, and for the manifest reason that an abundance of coal is to be had right on the line of these ships at a price far below what it would cost to carry it from the American mines at the price the gentleman is proposing. The Pacific Mail Steamship Company understands the situation tolerably well, and is operating eight large ships, four very fine large ships, and buy their coal not even at San Francisco. They buy it at Nagasaki, Hongkong, and other points.

The ship on which the Taft party came home—the *Korea*—one of the finest ships in the Pacific Ocean, and, by the way, the whole line is about to be sold out, practically, to the Japanese Government; and furthermore, the Oceanic Line with them, so that our flag will go entirely off the Pacific Ocean in a very short time if these contracts are carried out. That ship upon which we traveled took in its coal at Nagasaki—2,500 tons. It cost on board the ship trimmed and ready for our departure, less than \$7 a ton. I will say to the gentleman that coal was put on board by the labor of 1,200 men, women, and children. They began at 9 o'clock in the morning and finished about 7 o'clock in the evening. The process was astonishing to every American on board that ship.

Mr. RIXEY. I would like to ask the gentleman if this coal—

Mr. GROSVENOR. Let me finish my statement. The coal was brought to the ship in different barges. Each barge had its narrow point against the ship, and the discharge of the coal from these barges occupied almost the entire length of the ship, and 1,200 men, women, and children—and a great many of them women—handed that coal in baskets up the sides of the ship, then on board the ship, and trimmed it in the bunkers of the ship. This was done by labor at the cost of 15 cents a day to the women and 25 cents a day to the best men, making about 20 or 23 cents a day for the labor. That was the coal that brought our ship over and that was the coal that would take the same ship back again. Now, I will yield to the gentleman.

Mr. RIXEY. I am a little surprised that the gentleman

would come on a ship where the coal was furnished from some other country.

Mr. GROSVENOR. Walking was a little troublesome. [Laughter.]

Mr. RIXEY. I would like to ask the gentleman what country this coal came from?

Mr. GROSVENOR. Why, it came from Japan.

Mr. RIXEY. Was it coal that was mined in Japan or in some other country?

Mr. GROSVENOR. I presume it was mined in Japan; there are great quantities of coal in Japan. I want the gentleman to know that this was an American ship under an American register, and I will want to say further to him that it is one of the last of our ships that fly the American flag on the Pacific Ocean.

Mr. RIXEY. I want to read to the gentleman what the Chief of the Bureau of Equipment said in reply to a question on coal supply:

The native coal of Japan is not a good quality of coal for military purposes. It is hard on the boilers and makes so much smoke as to interfere with ship maneuvering and signals.

Mr. GROSVENOR. I have said nothing about that.

Mr. RIXEY. I think the gentleman has stated that we could use coal from Japan.

Mr. GROSVENOR. I have not; but every ship carrying the American flag on the Pacific is using it.

Mr. RIXEY. But here is what the Chief of the Bureau of Equipment says about its quality.

Mr. GROSVENOR. Now, the gentleman must not presume that I do not know something of the character of coal. More than one-third of all the coal products of Ohio is produced in my Congressional district; so when I am talking about coal I know something about what I am talking about.

Mr. FITZGERALD. Did I understand the gentleman to say that he would favor this amendment under certain conditions?

Mr. GROSVENOR. I did not say anything of the kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSVENOR. I would like to proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman proceeding five minutes? [After a pause.] The Chair hears none.

Mr. GROSVENOR. And I would like to have gentlemen let me alone unless they have something to talk about.

Mr. FITZGERALD. I understood the gentleman from Ohio to state that he would favor such an amendment if it would have the effect of preventing ships of another country carrying this coal.

Mr. GROSVENOR. I said if I wanted to stop all the coal traffic of the United States in this direction I would vote for such an amendment as that.

Mr. FITZGERALD. Does the gentleman think—

Mr. GROSVENOR. I am trying to make myself understood, and the gentleman need not catechise me about it. I think everybody knows what I am trying to get at.

The CHAIRMAN. The gentleman declines to yield further.

Mr. GROSVENOR. I do not understand anything that the gentleman is talking about.

Mr. FITZGERALD. The gentleman from New York is not responsible for that condition of the gentleman from Ohio.

Mr. GROSVENOR. Well, I think he is. What I have been trying to say was that this was to put a stumbling block, an impediment in the way of the traffic in American coal that ought not to be permitted, and I wanted to say—and that is what I took the floor for—this whole question of limitation upon freight rates between the United States and the Philippine Islands is a question that has been under discussion in the two committees of the House and Senate having these matters in charge, for seven years. In my opinion it is probable they made a mistake in the passage of the bill in the last session of Congress, in extending the navigation laws of the United States to the Philippine Islands at so early a date as we put them, and whatever the committee may do—I can not speak for them—I shall advocate a postponement over to the end of the treaty time of 1900, so that the competition that seems to be strangled by the operation of the law of last year shall be gotten rid of. Therefore, in the meantime, it seems to me that it is ill advised for us to undertake, in an appropriation bill, and an emergency deficiency bill at that, to fix rates upon the transportation of coal. That is all I wish to say.

Mr. CRUMPACKER. I should like to have the opinion of the gentleman upon this proposition: The amendment proposes to fix the rates from Atlantic ports in the United States to the Philippine Islands. What is the gentleman's information as to that proposition violating the post-preference clause of the Constitution of the United States?

Mr. GROSVENOR. It is clearly unconstitutional, and not alone unconstitutional, but clearly wrong and discriminative in its character and ought not for a moment be considered. I do not know exactly what the coal facilities of the Pacific coast may be—how rapidly coal can be gotten to a shipping point on the Pacific coast; but if it should so happen that it is available to deliver this coal to a shipping point on the Pacific Ocean and you then undertake to strangle it by this legislation upon the Atlantic coast, you have clearly violated the law in the first place and you have violated propriety in the second place.

Mr. CRUMPACKER. I do not know whether the port of Philadelphia or the port of Baltimore can be technically called Atlantic ports, because they are not on the ocean.

Mr. GROSVENOR. Neither can New Orleans be called an Atlantic port.

Mr. CRUMPACKER. It seems to me it is quite clearly a violation of the post-preference clause of the Constitution.

Mr. GROSVENOR. And out of New Orleans can be brought the mighty coal supplies of the Ohio and Tennessee and Kentucky rivers.

If the gentleman will allow me to say a single word and then I am through, this legislation ought to be carefully considered by the committees of the House and not put in here in the form of an amendment to an appropriation bill.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, in regard to what the gentleman from Ohio [Mr. GROSVENOR] has just said, I desire to call his attention to the fact that the purpose of this resolution is not to require the Government to purchase coal in the open market, or to purchase Welsh coal, or any other, but it merely affects the transportation of coal from this country to Asiatic ports.

Mr. GROSVENOR. That is very true; but whenever you interfere with the rate of transportation you have interfered with the propriety of purchase.

Mr. WILLIAM W. KITCHIN. But the gentleman will understand that the normal rate of transportation before the passage of the act of April 28, 1904, was much less than the limitation carried by this amendment.

Mr. GROSVENOR. I disagree utterly with the reports that have come to us upon this subject.

Mr. WILLIAM W. KITCHIN. According to all the testimony. Another thing, I understood the gentleman from Ohio to say that he would favor this amendment if he desired to close up all the mines on the Atlantic coast.

Mr. GROSVENOR. So far as oriental traffic is concerned.

Mr. WILLIAM W. KITCHIN. Does the gentleman seriously intend this House to understand that the purchase in a foreign country of all the coal necessary at Manila would perceptibly affect the mines of this country?

Mr. GROSVENOR. My statement was that if we wanted to close up the mines of the United States, so far as the oriental traffic was concerned, it wouldn't amount to a drop in the bucket.

Mr. WILLIAM W. KITCHIN. I understood the gentleman to leave the impression that the adoption of this amendment would have a tendency to close up the mines.

Mr. GROSVENOR. It would not close a single mine.

Mr. WILLIAM W. KITCHIN. Of course it would not, and it would not appreciably affect the mines of this country. The real question is whether it would not be better for the United States, the people at large, to adopt this amendment. The Department claims that at Manila something like 100,000 tons a year are needed. Now, the purpose of this amendment is to get that coal transported from this country at \$5 a ton instead of \$7.50 a ton. The gentleman from Virginia has well stated that even if during the remainder of this fiscal year there is not another ton transported we will not be harmed, because now there are 70,000 tons of coal at Manila, all put there by virtue of the last appropriation act. That is more than sufficient to supply the needs of the Department until the end of the fiscal year and leave a greater surplus than there was at the beginning of the fiscal year.

Mr. LITTLEFIELD. Does the gentleman assume that the Navy Department will go on accumulating coal unnecessarily without justification? If they will not go on, then what is the object of the gentleman's amendment?

Mr. WILLIAM W. KITCHIN. Oh, the gentleman will not get us off from the main question. The question is not whether you are going to accumulate unnecessarily, but whether you will pay an unnecessary rate of transportation on that coal. I brought in the amount of coal to show that you could not be harmed even if during the remainder of this fiscal year there was not another ton of coal transported from this country to Manila. But why does the gentleman presume that no more coal will be transported under this limitation?

Mr. LITTLEFIELD. I am getting information from the gentleman myself.

Mr. WILLIAM W. KITCHIN. The information given to the Committee on Appropriations is that under the present conditions shipowners expect the United States to pay the entire cost of ships going to Manila and returning to this country when they carry our coal. Instances have been cited in which these owners would carry a cargo of coal to Manila and coming back bring part of a cargo that was shipped from this country to Honolulu at a less rate than the Government paid for the trip from this country to Manila. And, again, none of the coal from Ohio, as I understand, goes to the Philippines. If I recollect the printed testimony correctly, this coal is shipped from Baltimore, Lamberts Point, and Newport News, all on Chesapeake Bay. It is Pocahontas coal, Georges Creek coal, and New River coal. It seems to me that no industry of this country can be harmed by this amendment, but the public Treasury will save a vast amount of money by being relieved from the necessity of paying any price that the American shipowner may exorbitantly charge for the transportation of coal. They charge \$7.50 a ton, when it used to be transported for less than \$5 a ton.

Mr. LOUDENSLAGER. Mr. Chairman, I do not believe it would be the part of wisdom for this committee to adopt this amendment. The restriction in the amendment, in my judgment, would prohibit the Department from purchasing coal. I am inclined to think that undue interest has been manifested here in regard to the difference charged for transporting coal. I remember distinctly the testimony of the admiral, and I remember his reply when the question was asked him if the foreign shipowners were not induced at this time to offer a lower rate of freight than they had previously charged from the fact that they felt that they could not get any of the coal to transport. He stated that perhaps that might be the reason. The difference in the cost of transporting this coal in our American bottoms is not so great as has been stated here upon the floor of the House, or as can be inferred by the statement of the admiral, when you compare it with the charges made previous to the passage of this act.

The report of Admiral Manney on the charges for transporting coal from the Atlantic coast to Manila, which was all transported in foreign bottoms from 1889 to 1904, was that it averaged \$6.53 a ton.

Mr. FITZGERALD. May I make a suggestion to the gentleman there?

Mr. LOUDENSLAGER. Certainly.

Mr. FITZGERALD. Admiral Manney stated to the subcommittee—

Mr. LOUDENSLAGER. I am quoting his report of those years.

Mr. FITZGERALD. He stated that the highest price paid in foreign bottoms was \$4.87½ a ton and the average price was \$4.50 a ton.

Mr. TAWNEY. The gentleman from New York wants to be entirely fair?

Mr. FITZGERALD. I do.

Mr. TAWNEY. He stated that the price was made at a time when there was a rate war between the steamship companies.

Mr. FITZGERALD. And he said \$4.87½ was the highest price ever paid, whether there was a rate war or not.

Mr. LITTAUER. Will the gentleman permit me a moment?

Mr. LOUDENSLAGER. Yes.

Mr. LITTAUER. Permit me to read from the testimony before the committee. Colonel Edwards states as follows—

Mr. FITZGERALD. Colonel Edwards has nothing to do with the transporting of coal.

Mr. LITTAUER. No; but he also comments on freight rates, and he gives us the following:

When I first went into the office I found that the freight rates were \$12.50 a ton. That was in 1899. I had to ship out the printing plant, which cost something over \$200,000 at that rate. I found the combination there then. That combination was finally broken and we got a rate of \$10, then \$8.20, then \$7, and then near \$6. Then the rate war came on, which was very destructive; no money was made at all, and the rate went down to \$4.50. That was, if I recollect aright, in 1903. Since then they have gone back to what they call a living rate, \$7.

Mr. FITZGERALD. That is not on the transportation of coal for the Navy at all. It is the transportation of other freight for the Philippine government.

Mr. LITTAUER. Permit me to continue.

Mr. LOUDENSLAGER. Mr. Chairman—

The CHAIRMAN. The gentleman from New Jersey has the floor.

Mr. LOUDENSLAGER. Mr. Chairman, I want to state to the gentleman from New York [Mr. LITTAUER] that I under-

stand full well the testimony of Admiral Manney, both before the Committee on Appropriations and the Committee on Naval Affairs, and that he made the statement that foreign bottoms were offering to carry coal at \$4.50 and that American bottoms at \$7.50, but that he replied to a question that perhaps the foreign owners were making these offers because they did not believe they would get a cargo of coal, and it seems to me that the figures for that Bureau for the years preceding the passage of this law show conclusively that that inference could be honestly obtained; and if this amendment is carried with those facts as they are, it would be entirely prohibitive, and the Navy Department would find it impossible to transport coal from the Atlantic to the port of Manila. While there may be at the present time, as stated, 70,000 tons of coal there now, yet that is an infinitesimal amount in case of emergency and our battle ships demanding a recoaling. It would be very unwise for us to permit them to get below thirty or forty thousand tons or even fifty thousand tons, and I hope that the facts stated here in the report that the lowest average for the years previous to the passage of this law was \$6.53 will be sufficient, and that the committee will not favor this amendment.

Mr. RIXEY. Mr. Chairman, I would like to ask the gentleman a question.

Mr. LOUDENSLAGER. Certainly.

Mr. RIXEY. Did not Admiral Manney also state that for the years before this law went into effect the highest price he paid for the transportation of coal to Manila was \$4.50 a ton?

Mr. LOUDENSLAGER. I think not. I did not so understand him.

Mr. RIXEY. I think he did; and did he not also state that the passage of this law had not given them any more ships in which to transport coal, and that there were fewer American ships to-day willing to take this coal to Manila than there were when it was passed?

Mr. LOUDENSLAGER. I did not so understand it, in that broad sense, but I did understand it that he was unable, as he desired to transport the coal, to find them as conveniently at some times in the season as at others.

Mr. RIXEY. Did he not also state that there was practically no competition by the owners of these ships in the carrying of this coal?

Mr. LOUDENSLAGER. He said, on the other hand, that so far as he was able to judge there was no combination.

Mr. RIXEY. Did he not state that the price was exactly the same that was offered in each case?

Mr. LOUDENSLAGER. He said practically the same, but that he had given the matter some thought and he said positively in regard to the matter that there was no combination.

Mr. FITZGERALD. Will the gentleman let me read just what he said about the price?

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 46, noes 81.

So the amendment was rejected.

Mr. DE ARMOND. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend by adding the following: "Provided, That no rates or amounts shall be paid for carrying coal in American ships in excess of one and one-fifth times what it would cost to make the same shipment in a foreign vessel."

Mr. LOUDENSLAGER. Mr. Chairman, it seems to me that that is in effect new legislation. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. DE ARMOND. But I would like to be heard.

The CHAIRMAN. The Chair does not care to hear the gentleman.

Mr. DE ARMOND. I do not care. The gentleman cares to be heard and he ought to be heard. It is not material to the gentleman whether the Chair hears him or not.

The CHAIRMAN. The provision is clearly legislative, and so clearly so that the Chair did not care to waste the time in listening to the gentleman discussing it.

Mr. DE ARMOND. The Chair has his privilege of ruling upon the point of order.

The CHAIRMAN. Certainly, and the Chair has the privilege of hearing it discussed. If the gentleman desires to discuss it, the Chair will hear him, but it was so perfectly clear that the Chair thought the gentleman would hardly care to discuss the matter.

Mr. DE ARMOND. But the gentleman at that time had assured the Chair that he did care to discuss the matter.

The CHAIRMAN. Very good; the Chair will hear the gentleman.

Mr. DE ARMOND. Mr. Chairman, ordinarily one does not care much to discuss a question after it has been decided, so far as the decision itself goes. I take this amendment to be a limitation upon this appropriation. The provision of the law, as I understand, is for the carrying of coal in American ships. The provision in this bill is for an appropriation for deficiencies for that kind of service. It has been developed in discussion here, and admitted, that coal can be carried in foreign ships for, say, in round numbers, two-thirds of the cost of carrying it in American ships. The excess, it seems to me, is an unreasonable one. A limitation that came in some other way, I suppose, would hardly, in the judgment of the Chair, be regarded as a change of law. I think it would be proper, as a matter of law, after providing that conveyance shall be made in American ships, to provide that the payment should not be greater than the average charge for conveyance in foreign vessels. This provision, however, is that it shall not be more than one-fifth greater; that there may be given an absolute bonus of not more than 20 per cent, or one-fifth, to the American shipowner over the foreigner. If that be not a limitation of an appropriation, I do not know what it is. If it were to say that there should be given \$1,000 less or \$100 less or 1 cent less in certain contingencies, I think it would be a limitation. Stating it by percentage, it seems to me the same thing, but whether it is to be disposed of by the ruling of the Chairman upon the point of order or by the vote of the committee on partisan lines, as other propositions have been disposed of here to-day, is of comparatively slight consequence. The result is practically the same—that you provide for carrying coal only in American ships, that you know that you are paying more for carrying it than you would have to pay otherwise, that you refuse to put in a provision that you shall not pay more than one-fifth more, and desire to have it stand so you may pay one-half more, or twice as much, or four times as much, if the American shipowner chooses to exact it; that is what will be decided. That is all I care to say, either about the merits of the amendment or upon the point of order. Let it all be disposed of as you please. [Applause on the Democratic side.]

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Freight, Bureau of Supplies and Accounts: All freight charges pertaining to the Navy Department and its bureaus, except the transportation of coal for the Bureau of Equipment, \$75,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 20, line 9, insert:

"Bureau of Steam Engineering—Steam machinery: For completion, repairing, and preservation of machinery and boilers of naval vessels, including cost of new boilers; distilling, refrigerating, and auxiliary machinery; preservation of and small repairs to machinery and boilers in vessels in ordinary, receiving, and training vessels; repair and care of machinery of yard tugs and launches, \$500,000."

Mr. TAWNEY. Mr. Chairman, I reserve the point of order on that.

The CHAIRMAN. The gentleman from Minnesota reserves the point of order.

Mr. FITZGERALD. Mr. Chairman, that is the language of the appropriation bill for the present fiscal year, and there was an estimate for deficiency of \$1,000,000.

Mr. TAWNEY. Do you put it in as a deficiency or as an original appropriation?

Mr. FITZGERALD. It is estimated for as a deficiency.

Mr. TAWNEY. I say, does your amendment specify that it is to supply a deficiency?

Mr. FITZGERALD. No more than these other amendments do. It follows the same form for the different bureaus as provided in here.

The CHAIRMAN. Will the gentleman from New York inform the Chair upon what page of the sundry civil bill of last year this provision can be found?

Mr. FITZGERALD. The Chair will find that in the naval appropriation bill, on page 22.

The CHAIRMAN. Will the gentleman send to the Chair the provision?

Mr. LITTAUER. Mr. Chairman, the appropriation for this year under this heading was \$3,950,000, Bureau of Steam Engineering.

Mr. FITZGERALD. He has that.

The CHAIRMAN. It seems to the Chair that this is offered

as a supplemental appropriation for the conduct of work which was provided for in the act of March 3, 1905, and therefore it is in order as an appropriation to be expended during the year ending June 30, 1906. The Chair therefore overrules the point of order.

Mr. FITZGERALD. Mr. Chairman, I wish to make a very brief statement regarding this amendment. Last year the estimate for the Bureau of Steam Engineering was \$4,095,000. The Committee on Naval Affairs allowed \$3,905,000. The work of the Bureau has been such that by the 1st of January, 1906, \$2,300,000 had been utilized in keeping in repair machinery of vessels in commission. For the second half of the fiscal year—that is, from January 1, 1906, to June 30, 1906—the Bureau has left \$1,600,000. The Chief of the Bureau of Steam Engineering submitted, through the Secretary of the Navy and Secretary of the Treasury, an estimate for a deficiency of \$1,000,000. He stated to the committee in response to an inquiry that the amount of money that he had at his disposal if apportioned monthly would not be sufficient to do the work the Bureau must necessarily do. The importance of providing additional money for this Bureau is due to this fact: A number of vessels are sent into the navy-yards to be overhauled; the Bureau of Steam Engineering, the Bureau of Construction, and Bureau of Equipment, and the other bureaus all work hand in hand; if, because of lack of funds, one bureau must stop its work, it necessarily makes necessary the stoppage of the work in other bureaus.

There have been sent into the different yards several vessels upon which large repairs have been ordered, and unless additional money is provided work will necessarily stop to a great extent in the navy-yards. The fact that this Bureau is spending a great sum of money is due to the fact that there are in commission a great number of naval vessels. The horsepower of the machinery of these naval vessels has, during the past few years—from 1901-1905—increased threefold, while the appropriations have increased but 1.5 times. These vessels, if put in perfect condition and laid up in ordinary, would then be ready for an emergency at a moment's notice. But under the policy of keeping them in active service, of making these vessels participate in maneuvers, so that the officers and crew will be in a highly efficient state, the wear and tear upon the machinery, and the necessary repairs are greatly increased.

Mr. Chairman, I have inserted here but one-half of the amount the Bureau has estimated as necessary. This is one of the Bureaus that has been criticised for not having followed the apportionment under the law of last year; but it is utterly impossible to anticipate the repairs that will be necessary to machinery unless it is definitely determined just how much service the different vessels will be called upon to perform. For these reasons I hope, in order to keep the work of this Bureau going, and not to cripple it and the different naval stations of the country, that this amendment will be adopted.

Mr. TAWNEY. Mr. Chairman, I want to say in reply to the gentleman from New York [Mr. FITZGERALD] that the committee gave very careful consideration to this item. In the first place, the Bureau has now \$1,600,000 available. They went to the Committee on Naval Affairs, or they came to Congress, before the beginning of the present fiscal year, and they estimated that they would require for this fiscal year \$4,095,000. Congress gave them within \$190,000 of what they asked, and now they come here with a deficiency of \$1,000,000.

Now, Mr. Chairman, there are several reasons why the committee declined to allow this deficiency estimate. In the first place, if the apportionment made by the Secretary of the Navy at the beginning of this fiscal year had been adhered to, there would have been no deficiency. But the necessity for the waiver, as stated by the Secretary, was that it was necessary to maintain the machinery of the vessels in proper shape.

I read yesterday morning in the Washington Post, under the heading of "Army and Navy News," a statement which I think more accurately explains the reason for the deficiency than that given by the Secretary. It is as follows:

The battle ship *Indiana* will be ready for service, it is expected, by February 3, and will immediately join the fleet in the West Indies. The crew of the *Massachusetts*, which recently went out of commission, will be transferred to the *Indiana*. The *Massachusetts* will be repaired at a cost approximating \$750,000, and in all probability will be laid up at the New York Navy-Yard for two years or more.

The Chief of the Bureau told us, when he was before the committee, that they had recently overhauled a number of large naval vessels. I stated at the opening of this debate that in our investigation we found that we have to-day two systems of naval construction, one authorized by Congress and the other authorized by the Secretary of the Navy under the word "overhauling." I do not know, and we could not get the information in time, as to what the cost of overhauling a naval vessel is, but, according to this item, the cost of overhauling the *Massa-*

chusetts, or reconstructing her, will be \$750,000, equaling almost the aggregated expenditure authorized by Congress for the building of four naval vessels in the Forty-seventh Congress, and almost twice as much as the cost of any one of the vessels authorized between 1873 and 1876; twice as much as the cost of the *Alert*, which is an iron ship, or the *Ranger*, built between 1873 and 1876.

Now, Mr. Chairman, I submit that if we are to go on appropriating money for the maintenance and repairs of machinery, and then allow the Navy Department to divert that appropriation for the purpose of reconstructing the Navy, there is no telling to what extent the deficiencies will hereafter occur in the naval appropriation bills, or to what extent it will be necessary for us to make appropriations for carrying out the orders of the Secretary of the Navy in respect to the reconstruction of naval vessels. This deficiency arises not because of any extraordinary emergency, but it arises because the appropriation was waived in order that the reconstruction of vessels might be carried on under the direction of the Secretary of the Navy. If we are going to have two kinds of naval construction in the United States, then let both be under the jurisdiction and under the authority of Congress. I asked the Chief of this Bureau when before the committee if he did not think the Navy Department or the Secretary, when he desired to reconstruct, or, as he called it, "overhaul," naval vessels to come to Congress with his estimates as to what the cost would be, when that cost involves an expenditure of hundreds of thousands of dollars, and secure the approval or authority of Congress before making that expenditure. The only objection, he said, was that it might cause delay in the rebuilding or reconstruction of the battle ships.

Mr. FITZGERALD. Does not the gentleman know that under the law no repairs can be made upon any vessel in the Navy that exceeds 10 per cent of its appraised cost?

Mr. TAWNEY. There is no such law; there is no law on the subject. There was an old law that applied to wooden vessels, but there is no law to-day that applies to a naval ship in respect to the amount that may be expended for that purpose; and for that reason this deficiency was omitted.

[Here the hammer fell.]

Mr. BUTLER of Pennsylvania. I will ask unanimous consent that the gentleman have sufficient time to answer the question that I would like to ask him.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER of Pennsylvania. What is the purpose of this amendment?

Mr. TAWNEY. To supply a deficiency of a million dollars for the maintenance and repair of machinery.

Mr. BUTLER of Pennsylvania. Does the gentleman know whether this item has been submitted to the Committee on Naval Affairs?

Mr. TAWNEY. It is a deficiency. The Committee on Naval Affairs in the last appropriation allowed the Navy Department \$190,000 less than they estimated.

Mr. BUTLER of Pennsylvania. Yes.

Mr. TAWNEY. Now there is an estimated deficiency of \$1,000,000. This \$500,000 proposed by the gentleman from New York is to make up that part of the deficiency, which deficiency the Committee on Appropriations declined to allow for the reasons I have given.

Mr. BUTLER of Pennsylvania. We allowed them what we thought they should have, and it was not intended that a deficiency should be created. If there is one, there should be some way to prevent a repetition of it. Last year we appropriated more than \$100,000,000 for the maintenance of the naval establishment, and it was not intended that there should be a single deficiency.

Mr. TAWNEY. I am very glad to have that statement from a member of the Committee on Naval Affairs.

Mr. WALDO. Mr. Chairman, I understand this deficiency appropriation is asked for by reason of the fact that repairs were necessary, not only to the particular ship mentioned by the gentleman from Minnesota, but others, which necessitated the use of a portion of the appropriation intended for new ships. Now, it ought to be understood that there are several thousand men at work in the New York Navy-Yard, and a large portion of these men will have to be laid off if appropriations are not made so as to keep them employed, and this expert labor will be disseminated all over this country and perhaps in foreign countries. The Navy Department is opposed to that. Now, there may possibly be something in what the gentleman from Minnesota has said about the battle ship *Massachusetts*; but if he had taken his information from the Navy Department instead of out of some paper that he happened to read this morning, I should per-

haps pay more attention to it. It seems to me now that this additional appropriation asked for in the amendment of the gentleman from New York [Mr. FITZGERALD] ought to be allowed for the benefit of the Navy Department, in order to keep that force at work there, so that this work may be done and that the battle ships under construction may proceed.

Mr. TAWNEY. Just one word in reply. I want to say that this is one of two cases where the Committee on Appropriations felt that there had been a clear evasion of the law enacted by the last Congress to prevent deficiencies. That was one of the reasons why this deficiency item was not included in this bill.

Mr. PERKINS. Was it not a violation of the law?

Mr. TAWNEY. No; not technically; but it was a violation of the spirit of the law.

Mr. BUTLER of Pennsylvania. I move to strike out the last word. I think it is well for this committee to understand where we are on the subject of navy-yards. The estimates sent to the Navy Department from our navy-yards, covering the next fiscal year, amount to how much, do you suppose? They amount to more than \$42,000,000. They have, of course, been reduced. We have been struggling in the Committee on Naval Affairs for two weeks to get away from the reduced estimates. I want to repeat, so that you will understand—\$42,000,000; and if navy-yard officials are "given their heads," they will absorb the American Treasury. Now is the time to halt. Of course a class of naval officials want thousands of men in the navy-yards. It is a part of their programme to fill the different yards with employees and to provide for their continuous employment. Now, I understand we made an appropriation for new machinery to be used on a certain ship, and it has been used for some other purpose not designated in the last naval appropriation bill.

I sincerely hope that the committee will not for one instant make the appropriation provided for in the amendment and thereby clearly defeat the aim which our committee is now making. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question being taken, on a division (demanded by Mr. FITZGERALD) there were—ayes 18; noes 67.

Accordingly the amendment was rejected.

The Clerk read as follows:

GEOLOGICAL SURVEY.

To enable the Director of the Geological Survey to complete the investigation of the useful values contained in the black sands of the United States, under the conditions prescribed in the sundry civil act approved March 3, 1905, \$25,000, of which not exceeding \$2,000 may be expended for rent of rooms.

Mr. LITTLEFIELD. I should like to inquire the circumstances with reference to this appropriation, and how it becomes necessary.

Mr. LITTAUER. In the sundry civil act of last year \$25,000 was appropriated to make an investigation of useful mineral values contained in the black sands about placer mines. The investigation was carried on at the Portland exhibition, much of the machinery being furnished by manufacturers free. There were many tons of samples brought there, also at the expense of those who sent them. It was found that very valuable minerals were contained in these sands, particularly platinum, which at the present time is exceedingly scarce and in great demand, because of its use in electrical development. Now, this experiment has gone on to the point of determining that there were great values not only of platinum but other minerals in these sands, but a method of extracting them had been found. Many samples were yet to be examined, the examination of which would enable the expert in charge to further perfect the method of extracting the ores, and that these experiments could be completed by an additional appropriation of \$25,000.

Mr. LITTLEFIELD. So this makes \$50,000 in all appropriated for that purpose?

Mr. LITTAUER. It makes in all \$50,000 for this purpose.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For the necessary transportation of Indian goods, provisions, and other supplies for the Indian service for the fiscal year 1905, \$10,000.

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Transportation of Indian supplies," fiscal year 1905, \$9,693.86.

Mr. MACON. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman in charge of the bill for an explanation of these two paragraphs.

Mr. LITTAUER. In reference to the paragraph—

For the necessary transportation of Indian goods, provisions, and other supplies for the Indian service for the fiscal year 1905, \$10,000—

The supplies had been purchased and transported to the Indian agencies, where they were distributed. A deficiency arose

in the year 1905, a deficiency of \$10,000, to pay for such transportation.

Mr. MACON. In the next paragraph is an appropriation to pay amounts found due by the accounting officers of the Treasury on account of the transportation of Indian supplies, \$9,693.

Mr. LITTAUER. The latter paragraph contains amounts that have already been audited, while the former is for deficiencies yet to be provided for.

Mr. MACON. One is a finding and the other is an appropriation direct?

Mr. LITTAUER. The other is an appropriation to meet a deficiency which the Department advises us is actually necessary. The second item is an appropriation to pay accounts that have been audited.

Mr. MACON. One is an estimate and the other is an account already adjudicated?

Mr. LITTAUER. One is an estimate and the other is an account audited.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the care and support of insane persons in the Indian Territory until the close of the fiscal year 1906, and to be expended under the direction of the Secretary of the Interior: *Provided, however,* That the Indian citizens in said Territory shall be cared for at the asylum in Canton, Lincoln County, S. Dak., \$25,000, or so much thereof as may be necessary.

Mr. BURKE of South Dakota. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 27, line 16, after the word "necessary," insert: "For asylum for insane Indians, Canton, S. Dak., 1906: For the equipment and maintenance of the asylum, for incidental and other necessary expenses for its proper conduct and management, including pay of employees and necessary expenses of transporting insane Indians to and from said asylum, \$3,500."

Mr. LITTAUER. I will state that this is an item that came to us after the bill had been reported to the House, and it seems to be perfectly proper.

The question was taken, and the amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

DEPARTMENT OF JUSTICE.

To reimburse the appropriation "Miscellaneous expenditures" of the Department of Justice for the fiscal year 1906, the amount expended for a portrait of ex-Attorney-General P. C. Knox, \$2,615.

Mr. JAMES. Mr. Chairman, I make a point of order that this appropriation is not authorized by existing law.

Mr. LITTAUER. Mr. Chairman, I can not appreciate how a point of order can be raised at this time. This is a reimbursement for an appropriation for miscellaneous expenditure—expenditures that have already been made—and is a character of expenditure that has been made in the past constantly under the authorization for this miscellaneous expenditure.

Mr. JAMES. It appears to me that the argument of the gentleman from New York is an admission that this appropriation is not authorized by existing law. The only reason he gives why it should be allowed is that at other times such expenditures have been made. If a wrong has been committed in former times by ordering pictures painted of distinguished men, that is no reason why it ought to be committed again. If this gentleman wants his picture hung on frescoed walls, he is able to pay for it.

Mr. LITTAUER. The gentleman from Kentucky must know that the picture has been hung and that the amount has been paid, and that this is to reimburse the miscellaneous account.

Mr. JAMES. It ought not to be hung at the expense of the American people.

The CHAIRMAN. The Chair would inquire of the gentleman in charge of the bill whether, in his judgment, this does not conflict with the provision in last year's appropriation bill prohibiting the expenditure of any money by the head of any Department?

Mr. LITTAUER. It was waived by the Attorney-General and his waiver sent to Congress.

The CHAIRMAN. What provision of law permits the Attorney-General to waive a law of Congress?

Mr. LITTAUER. The law itself contains such a provision.

Mr. TAWNEY. I will state, Mr. Chairman, that, in my judgment, the only question that pertains to this matter is whether it is an expenditure authorized by law—whether it is such an item as can be properly construed to be a contingent expense incident to that particular Bureau under the language of the appropriation.

Mr. LITTAUER. And further, Mr. Chairman, the law states

that this appropriation was for miscellaneous expenditures, enumerating various articles, current books of reference, periodicals "and other necessities directly ordered by the Attorney-General."

Mr. JAMES. I would like to ask the gentleman if this is a necessary expenditure?

Mr. PERKINS. Does the gentleman claim that this is a necessity?

Mr. LITTAUER. No; I do not claim that.

Mr. JAMES. I would suggest that if anybody wants to see the picture of the ex-Attorney-General they can see the real article at the other end of the Capitol. If he should pass away, they could put a statue in the hall of fame to commemorate him. I do not think, therefore, the picture of ex-Attorney-General Knox is a necessity now; I think the point of order should be sustained.

The CHAIRMAN. The Chair will sustain the point of order. The Clerk read as follows:

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, and other necessities, directly ordered by the Attorney-General, for the fiscal year 1905, \$413.45.

Mr. MACON. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill about these periodicals and their necessity and why they are considered necessary in the conduct of the Attorney-General's Office.

Mr. LITTAUER. This is a deficiency occurring in the fiscal year of 1905 of \$413.45. It is exactly in the terms of the law. Periodicals are provided for under the law.

Mr. MACON. As necessary articles?

Mr. LITTAUER. Not as necessary. The law, with which we have no concern here, simply reads "periodicals and other necessities."

Mr. MACON. Does that mean that the Department has a right to purchase any periodical it wants for private reading?

Mr. LITTAUER. It gives them the right to purchase periodicals. That law was passed for the fiscal year of 1905, and a deficiency exists thereunder.

Mr. MACON. Under the circumstances, Mr. Chairman, it is impossible for me to give any relief by moving to strike out the word "periodicals."

Mr. LITTAUER. The expenditure has already been incurred.

Mr. MACON. As I say, we can give no relief by striking it out; but it strikes me as being a rank evil to give under the law the Departments the right to purchase periodicals or any old thing they want.

Mr. LITTAUER. Will not the gentleman reserve his motion until the legislative bill is up again, when he can offer an amendment?

Mr. MACON. I do not make any motion; I was making a few remarks in the time I had under the five-minute rule, and only moved to strike out the last word. I am not making any motion; but it strikes me as being a crying evil to allow such an extravagance as periodicals purchased by the heads of Departments to amuse themselves with when they have nothing else to do, and incidentally at any time, and therefore I simply called the attention of the Committee on Appropriations to the fact, not that I expect to right it at this time, but that the committee might correct the wrong in its next bill. I am simple enough to think that it is wrong to tolerate such a proceeding. Mr. Chairman, I withdraw the pro forma amendment.

Mr. LITTAUER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the urgent deficiency bill (H. R. 12320) and had come to no resolution thereon.

APPOINTMENT OF JANITORS, ETC., TO COMMITTEES.

Mr. CASSEL. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from Pennsylvania presents a privileged resolution from the Committee on Accounts, which the Clerk will read.

The Clerk read as follows:

[House resolution No. 182, Fifty-ninth Congress, first session.]

Mr. CASSEL, from the Committee on Accounts, reported, in lieu of H. Res. No. 18, H. Res. No. 109, H. Res. No. 79, H. Res. No. 107, H. Res. No. 131, H. Res. No. 74, H. Res. No. 111, H. Res. No. 148, H. Res. No. 95, H. Res. No. 71, H. Res. No. 83, H. Res. No. 84, H. Res. No. 113, H. Res. No. 19, H. Res. No. 147, H. Res. No. 21, H. Res. No. 78, H. Res. No. 40, H. Res. No. 26, H. Res. No. 36, H. Res. No. 156, H. Res. No. 44, H. Res. No. 58, H. Res. No. 150, and H. Res. No. 127.

Resolved, That the chairmen of the Committees on (first) Education, (second) Levees and Improvements of the Mississippi River,

(third) Mines and Mining, (fourth) Patents, (fifth) Industrial Arts and Expositions, (sixth) Coinage, Weights, and Measures, (seventh) Railways and Canals, (eighth) Militia, (ninth) Expenditures on Public Buildings, (tenth) Expenditures in the Department of Justice, (eleventh) Expenditures in the Navy Department, (twelfth) Expenditures in the Department of Commerce and Labor, and (thirteenth) Pacific Railroads, be, and they are hereby, authorized to appoint a janitor to each of said committees to serve during the sessions of the Fifty-ninth Congress, whose compensation shall be paid out of the contingent fund of the House, at the rate of \$60 per month, and said janitors, under the direction of the Doorkeeper, shall also have the care of the rooms of the following-named committees and offices and shall perform all of the duties required of messengers, namely:

First. Revision of the Laws, and Labor.

Second. Reform of the Civil Service, and the room of the index clerks.

Third. Expenditures in the Department of Agriculture, and Irrigation of Arid Lands.

Fourth. Expenditures in the Treasury Department, and Mileage.

Fifth. Manufactures.

Sixth. Disposition of Useless Papers in the Executive Departments.

Seventh. Private Land Claims, and Expenditures in the Post-Office Department.

Eighth. Census, and Ventilation and Acoustics.

Ninth. Alcoholic Liquor Traffic, and Immigration and Naturalization.

Tenth. Election of President, Vice-President, and Representatives in Congress.

Eleventh. Lieutenants, and guard rooms of the Capitol police and the room formerly used by the Committee on Examination and Disposition of Documents.

Twelfth. Expenditures in the State Department and Expenditures in the War Department.

Thirteenth. Expenditures in the Interior Department.

The pay of such janitors shall begin from the time they entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of said chairman.

Resolved, That the Clerk of the House is hereby authorized to appoint a janitor to perform service in the office of the file, journal, and printing clerks of the House, to be paid out of the contingent fund of the House, at the rate of \$60 per month.

Resolved, That the chairmen of the following-named committees are hereby authorized to appoint clerks to such committees to serve during the sessions of the Fifty-ninth Congress, to be paid out of the contingent fund of the House the usual per diem compensation of \$6, which shall in each case equal in the aggregate the amount paid session clerks whose employment is provided for by law, namely, Census, Pacific Railroads, Private Land Claims, and Election of President, Vice-President, and Representatives in Congress: *Provided*, That the pay of such clerks shall begin from the time they entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairmen of said committees.

Resolved, That the chairmen of the following-named committees are hereby authorized to appoint assistant clerks to such committees to serve during the sessions of the Fifty-ninth Congress, to be paid out of the contingent fund of the House the usual per diem compensation of \$6, which shall in each case equal in the aggregate the amount paid session clerks whose employment is provided for by law, namely: District of Columbia, Enrolled Bills, Indian Affairs, and Pensions: *Provided*, That the pay of such clerks shall begin from the time they entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairmen of said committees.

Resolved, That the chairman of the Committee on the Judiciary is hereby authorized to appoint a messenger to said committee, to serve during the present Congress, whose compensation shall be paid out of the contingent fund of the House at the rate of \$60 per month from and after December 4, 1905.

Resolved, That the Doorkeeper of the House is hereby authorized to employ Hugh Williams as a page in the press gallery of the House during the remainder of the present fiscal year, to be paid out of the contingent fund of the House at the rate of \$75 per month from and after December 4, 1905.

Resolved, That the Clerk of the House is hereby authorized and directed to pay to Mrs. Sarah M. Henshaw, daughter of Norton McGiffin, deceased, late a folder on the rolls of the Doorkeeper of the House of Representatives, a sum equal to six months' pay at the rate of compensation received by him at the time of his death, and a further sum, not exceeding \$250, on account of the funeral expenses of said Norton McGiffin, said amounts to be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to Thomas W. Conway, brother of Joseph R. Conway, deceased, late a laborer in the Doorkeeper's department of the House, a sum equal to six months' salary at the rate of compensation received by him at the time of his death, and a further sum not exceeding \$250 on account of the funeral expenses of said Thomas W. Conway, said amounts to be paid out of the contingent fund of the House.

Resolved, That the compensation of the assistant clerk to the Committee on Interstate and Foreign Commerce, whose employment was authorized by a resolution adopted by the House December 19, 1905, is hereby authorized to be paid out of the contingent fund of the House.

Resolved, That the Doorkeeper of the House is hereby authorized and directed to employ a lady attendant in the ladies' reception room, Statuary Hall, to serve during the sessions of the Fifty-ninth Congress, to be paid out of the contingent fund of the House, at the rate of \$60 per month.

[House Report No. 526, Fifty-ninth Congress, first session.]

The Committee on Accounts, to whom was referred sundry resolutions providing for the employment of janitors, clerks, assistant clerks, etc., to certain committees of the House, having had the same under consideration, recommend the adoption by the House of the following resolutions in lieu thereof, viz:

"1. *Resolved*, That the chairmen of the Committees on (1) Education, (2) Levees and Improvements of the Mississippi River, (3) Mines and Mining, (4) Patents, (5) Industrial Arts and Expositions, (6) Coinage, Weights, and Measures, (7) Railways and Canals, (8) Militia, (9) Expenditures on Public Buildings, (10) Expenditures in the Department of Justice, (11) Expenditures in the Navy Department, (12) Expenditures in the Department of Commerce and Labor, and (13) Pacific Railroads be, and they are hereby, authorized to appoint a

janitor to each of said committees to serve during the sessions of the Fifty-ninth Congress, whose compensation shall be paid out of the contingent fund of the House at the rate of \$60 dollars per month; and said janitors, under the direction of the Doorkeeper, shall also have the care of the rooms of the following-named committees and offices and shall perform all of the duties required of messengers, namely:

"(1) Revision of the Laws, and Labor;

"(2) Reform in the Civil Service, and the room of the index clerks;

"(3) Expenditures in the Department of Agriculture, and Irrigation of Arid Lands;

"(4) Expenditures in the Treasury Department, and Mileage;

"(5) Manufactures;

"(6) Disposition of Useless Papers in the Executive Departments;

"(7) Private Land Claims, and Expenditures in the Post-Office Department;

"(8) Census, and Ventilation and Acoustics;

"(9) Alcoholic Liquor Traffic, and Immigration and Naturalization;

"(10) Election of President, Vice-President, and Representatives in Congress;

"(11) Lieutenants' and guard rooms of the Capitol police, and the room formerly used by the Committee on the Disposition of Documents;

"(12) Expenditures in the State Department and Expenditures in the War Department;

"(13) Expenditures in the Interior Department.

The pay of such janitors shall begin from the time they entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of said chairmen.

"2. *Resolved*, That the Clerk of the House is hereby authorized to appoint a janitor to perform service in the office of the file, journal, and printing clerks of the House, to be paid out of the contingent fund of the House at the rate of \$60 per month.

"3. *Resolved*, That the chairmen of the following-named committees are hereby authorized to appoint clerks to such committees, to serve during the sessions of the Fifty-ninth Congress, to be paid out of the contingent fund of the House the usual per diem compensation of \$6, which shall in each case equal in the aggregate the amount paid session clerks whose employment is provided for by law, namely, Census, Pacific Railroads, Private Land Claims, and Election of President, Vice-President, and Representatives in Congress: *Provided*, That the pay of such clerks shall begin from the time they entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairmen of said committees.

"4. *Resolved*, That the chairmen of the following-named committees are hereby authorized to appoint assistant clerks to such committees, to serve during the sessions of the Fifty-ninth Congress, to be paid out of the contingent fund of the House the usual per diem compensation of \$6, which shall in each case equal in the aggregate the amount paid session clerks whose employment is provided for by law, namely: District of Columbia, Enrolled Bills, Indian Affairs, and Pensions: *Provided*, That the pay of such clerks shall begin from the time they entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairmen of said committees.

"5. *Resolved*, That the chairman of the Committee on the Judiciary is hereby authorized to appoint a messenger to said committee, to serve during the present Congress, whose compensation shall be paid out of the contingent fund of the House, at the rate of \$60 per month from and after December 4, 1905.

"6. *Resolved*, That the Doorkeeper of the House is hereby authorized to employ Hugh Williams as a page in the press gallery of the House during the remainder of the present fiscal year, to be paid out of the contingent fund of the House, at the rate of \$75 per month from and after December 4, 1905.

"7. *Resolved*, That the Clerk of the House is hereby authorized and directed to pay to Mrs. Sarah M. Henshaw, daughter of Norton McGiffin, deceased, late a folder on the rolls of the Doorkeeper of the House of Representatives, a sum equal to six months' pay, at the rate of compensation received by him at the time of his death, and a further sum not exceeding \$250 on account of the funeral expenses of said Norton McGiffin, said amounts to be paid out of the contingent fund of the House.

"8. *Resolved*, That the Clerk of the House is hereby authorized and directed to pay out of the contingent fund of the House to Thomas W. Conway, brother of Joseph R. Conway, deceased, late a laborer in the Doorkeeper's department of the House, a sum equal to six months' salary, at the rate of compensation received by him at the time of his death, and a further sum not exceeding \$250 on account of the funeral expenses of said Thomas W. Conway, said amounts to be paid out of the contingent fund of the House.

"9. *Resolved*, That the compensation of the assistant clerk to the Committee on Interstate and Foreign Commerce, whose employment was authorized by a resolution adopted by the House December 19, 1905, is hereby authorized to be paid out of the contingent fund of the House.

"10. *Resolved*, That the Doorkeeper of the House is hereby authorized and directed to employ a lady attendant in the ladies' reception room, Statuary Hall, to serve during the sessions of the Fifty-ninth Congress, to be paid out of the contingent fund of the House, at the rate of \$60 per month."

Taking up these resolutions in their order, your committee begs leave to state:

First. That we find 36 rooms, including committee rooms and certain offices connected with the House of Representatives, without janitor service, namely: Alcoholic Liquor Traffic; Census; Coinage, Weights, and Measures; Disposition of Useless Papers in the Executive Departments; Education; Election of President, Vice-President, and Representatives in Congress; Expenditures in the Department of Agriculture; Expenditures in the Department of Commerce and Labor; Expenditures in the Department of Justice; Expenditures in the Interior Department; Expenditures in the Navy Department; Expenditures in the Post-Office Department; Expenditures in the State Department; Expenditures in the Treasury Department; Expenditures in the War Department; Expenditures on Public Buildings; office of the file, journal, and printing clerks; Immigration and Naturalization; index clerk's office; Industrial Arts and Expositions; Irrigation of Arid Lands; Labor; Levees and Improvements of the Mississippi River; Manufactures; Mileage; Militia; Mines and Mining; Pacific Railroads; Patents; Private Land Claims; Railways and Canals; Reform in the Civil Service; Revision of the Laws; Ventilation and Acoustics; Lieutenants and guards' room, and the room formerly used by the Committee on the Disposition of Documents.

The resolution reported herewith provides for the care of these thirty-six rooms and offices by the employment of fourteen janitors, who are

to be appointed by the chairmen of certain committees named in the resolution, whose compensation shall be \$60 per month during the sessions of the Fifty-ninth Congress. The pay of these janitors is to begin from the time they entered upon the discharge of their duties, which is to be ascertained and evidenced by the chairmen authorized to appoint them. This resolution, if adopted, will provide every committee room and every office in the House wing of the Capitol with janitor service that are not now so provided. And by assigning each janitor to two or more rooms, and by requiring that they shall also perform messenger service, we believe to be a proper, an equitable, and at the same time an economical arrangement. Janitors appointed under this resolution will have the care of the groups of committees indicated by the numbers, and they will be directly responsible to the chairmen appointing them for the proper discharge of their duties in all of the rooms to which assigned, and inefficiency, inattention to duty, or misconduct on the part of any janitor should be reported to the chairman of the first-named committee of the group of committees to which such janitor may belong.

In the last Congress (Fifty-eighth) nine janitors in addition to the regular force were provided for by resolutions reported from the Committee on Accounts and adopted by the House. They were assigned as follows:

Alcoholic Liquor Traffic, Election of President, Vice-President, and Representatives in Congress, and Expenditures in the Department of Agriculture, one janitor; Expenditures in the Department of Justice, Expenditures in the Interior Department, and Expenditures in the Navy Department, one janitor; Expenditures in the Post-Office Department, Expenditures in the State Department and Expenditures in the Treasury Department, one janitor; Expenditures in the War Department, Expenditures on Public Buildings, Mileage, and Ventilation and Acoustics, one janitor; Education, Enrolled Bills, and Levees and Improvements of the Mississippi River, the House document room, and the library of the House.

Of the foregoing the House document room, the library of the House, and the Committee on Enrolled Bills are the only rooms now provided with janitors, the two first mentioned having been provided for by law and the latter by resolution of the House of December 19, 1905.

It will be seen that nine janitors in the last Congress had the care of eighteen committee rooms and offices. They were employed for the entire Congress, including the recess between sessions, and their compensation, at \$60 per month each, aggregated \$7,896. We now propose to employ fourteen janitors at the same rate of pay, but to confine their employment to the sessions of the present Congress. This will be an apparent increase of five janitors, but an actual increase of only two chargeable to the contingent fund of the House, for the reason that three committees, namely, Labor, Industrial Arts and Expositions, and Revision of the Laws, are taken care of in our resolution which are entitled, according to custom, to janitors by law, but provision for same having been omitted from the current legislative appropriation act, we have included them in the plan now recommended. But while there is a total increase of five janitors over the number provided in the last Congress the number of rooms to be cared for is increased from eighteen in the Fifty-eighth Congress to thirty-six in the present Congress—just double the number of rooms. And while nine janitors in the last Congress cost \$7,896, it is now proposed that fourteen janitors shall cost, it is estimated, \$5,880 for the present session, carrying it until the end of the fiscal year, \$300 during the recess, and \$2,520 for the second session, making the total for this Congress \$8,700, an increase of only \$904 over the last Congress for double the amount of service.

Considerations of health, cleanliness, the comfort of Members, the dispatch of the public business, and the fact that some Members of the House have themselves been paying for janitor service induced your committee to recommend this general provision for janitors, leaving nothing of this kind to be done during the remainder of this Congress, and in so doing we have had due regard for economy as well as for the other purposes to be subserved.

SUMMARY.

Number of janitors recommended, 14.
Number of rooms provided for, 36.
Number of janitors, Fifty-eighth Congress, by resolution, 9.
Number of rooms, Fifty-eighth Congress, 18.
Apparent increase of janitors, 5.
Actual increase chargeable to contingent fund, 2.
Increased number of rooms to be cared for, 18.
Amount paid for 9 janitors, Fifty-eighth Congress, \$7,896.
Amount estimated for 14 janitors, Fifty-ninth Congress, \$8,700.
Estimated increase by proposed resolutions, \$904.
Estimates are based on employment during first session Fifty-ninth Congress, until June 30, 1906, whereas if Congress sooner adjourns the expenditure will be less.

We recommend that resolutions numbered 18, 109, 79, 107, 101, 156, 74, 111, and 148 lie on the table.

Second. The janitor authorized by this resolution for the office of the file, journal, and printing clerks of the House, an overcrowded room wherein a great volume of important public business is transacted, is undoubtedly necessary. This janitor is included in the foregoing general statement relative to janitors.

We recommend that House resolution No. 95 lie on the table.

Third. This resolution authorizes the appointment of clerks during the sessions of the Fifty-ninth Congress to the Committees on Census, Pacific Railroads, Private Land Claims, and Election of President, Vice-President, and Representatives in Congress, at the usual per diem compensation of \$6, and in order to equalize their salaries with those of session clerks to committees whose employment is authorized by law we provide that they shall be paid an amount which, in the aggregate, shall equal that paid such session clerks. It is also provided that the pay of these clerks shall begin from the time they entered upon the discharge of their duties.

The current legislative, executive, and judicial appropriation act provides for eleven session clerks to committees, which clerks have already been assigned by resolution to that many committees, leaving certain other committees unprovided for, among them the four committees above named, three of which, namely, Census, Pacific Railroads, and Private Land Claims, were provided for in the Fifty-eighth Congress by resolution. It is now proposed to add the Committee on the Election of President, Vice-President, and Representatives in Congress to this class. This committee has had referred to it in the present session a number of important bills pertaining to its jurisdiction, which the chairman of that committee states will receive consideration, and the services of a clerk will therefore be necessary. For these reasons we recommend this additional clerk.

During the time these clerks are on the roll the chairmen of the committees named will be denied, under the law, the usual allowance for personal clerk hire, so that, while their total compensation will be \$7,087 for the entire Congress from the contingent fund of the House, a saving of \$4,000 will be effected in personal clerk-hire allowances, which will revert to the Treasury from the appropriation for clerks to Members. Thus the actual net expenditure for these four clerks will be \$3,087.

SUMMARY.

Number of clerks recommended, 4.
Number of these authorized in Fifty-eighth Congress, 3.
Increase, 1.
Estimated expenditure from contingent fund, \$7,087.
Amount of clerk-hire allowance deducted, \$4,000.
Net expenditure from Treasury, \$3,087.
Fourth. This resolution provides assistant clerks during the sessions of the Fifty-ninth Congress for the Committees on the District of Columbia, Enrolled Bills, Indian Affairs, and Pensions. This is an increase of one assistant clerk—to the Committee on Pensions—and this we are convinced is necessary for the proper and expeditious transaction of the business of that committee, for the reasons set forth in the following letter from its chairman, viz:

HOUSE OF REPRESENTATIVES, COMMITTEE ON PENSIONS,
Washington, D. C., January 15, 1906.

DEAR SIR: I am very anxious to have your committee take favorable action on resolution No. 40, which I introduced for the appointment of a session clerk to facilitate the work of this committee.

When I became chairman of this committee, in the Fifty-fourth Congress, it had 661 bills referred to it for consideration. Since that time the work has steadily increased, and particularly since the Spanish-American war. At the last session we had 1,519 bills, and at this session, up to this time, we are 34 per cent ahead of last Congress at the same stage of the term, and if the present rate of increase should continue during the term we will have at least 2,000 bills to consider.

The handling of this large volume of business requires close and painstaking work, involving much time and care. The miscellaneous character of the work coming before the committee embraces all of the ramifications of the pension system, and the papers to be considered are voluminous and complicated. Much of the time of the limited clerical help attached to the committee is taken up in answering questions and furnishing blanks and information for the use of Members. The hours of labor have heretofore and will doubtless hereafter be greatly increased, often extending into the night, and the additional help provided for in the resolution is necessary, not only to the committee, but in aid of the individual Members who come to the committee for help concerning their pension matters generally.

Yours, truly,

H. C. LOUDENSLAGER, Chairman.

HON. H. B. CASSEL,
Chairman Committee on Accounts, Washington, D. C.

The expenditure for the four assistant clerks recommended will be \$7,087 for both sessions of the present Congress, from which there will be no reduction on account of personal clerk-hire allowance, for the reason that the chairmen of the committees named are granted personal clerk-hire allowance by law.

SUMMARY.

Number of assistant clerks recommended, 4.
Number of these authorized in Fifty-eighth Congress, 3.
Increase, 1.
Estimated expenditure for entire Fifty-ninth Congress, \$7,087.
Increase over Fifty-eighth Congress, \$1,772.
We recommend that House resolutions numbered 71, 83, 84, 113, 19, 147, 21, 78, and 40, providing for clerks and assistant clerks, be laid on the table.
Fifth. This resolution authorizes the chairman of the Committee on the Judiciary to appoint a messenger to said committee at \$60 per month. Such messenger was granted in the last Congress and is shown to be necessary in this Congress, and we therefore recommend the adoption of the resolution. The amount involved is \$660.

We recommend that House resolution numbered 57 be laid on the table.

Sixth. This resolution authorizes the appointment of Hugh Williams as a page in the press gallery of the House. It has been customary to so name him and to pass a resolution providing for this position. Service of this kind has been shown to be necessary in the press gallery and it is recommended by the members of the press gallery committee. We therefore recommend the adoption of the resolution.

We also recommend that House resolutions numbered 26 and 36 be laid on the table.

Seventh. Authorizes payment out of the contingent fund of the House to Mrs. Sarah M. Henshaw, daughter of Norton McGiffin, late a folder, of a sum equal to six months of his salary and not exceeding \$250 for funeral expenses. This resolution is in due form and is in accordance with the practice relative to payments on account of deceased employees.

Eighth. Same as No. 7, except that the proposed beneficiary is Thomas W. Conway, brother of Joseph R. Conway, late a laborer. The amount involved in this and in the preceding paragraph is \$1,320, both men having received at the time of their death \$720 per annum each.

We recommend that resolutions numbered 44, 58, and 150 be laid on the table.

Ninth. This resolution simply makes effective the resolution of the House adopted December 19, 1905, providing an assistant clerk to the Committee on Interstate and Foreign Commerce, by authorizing payment out of the contingent fund of the House in accordance with the joint resolution approved January 17, 1906, relating to contingent expenses of the House of Representatives.

Tenth. This resolution authorizes the Doorkeeper to appoint a lady attendant in the ladies' reception room, at a salary of \$60 per month, during the sessions of the Fifty-ninth Congress. A portion of Statuary Hall has been set off, by direction of the Speaker of the House, as a public reception room, from whence ladies may send in their cards to Members of the House. This room has been fitted up with the necessary appurtenances, and it is quite evident to your committee that a lady attendant there is not only proper, but necessary. We therefore favorably recommend the resolution, and that resolution numbered 127 be laid on the table. The amount involved is estimated to be \$500.

For the further information of the House we would state that it is estimated that the resolutions adopted by the House December 19 and 20, 1905, will involve a total expenditure for the present session, carrying the session to the end of the fiscal year, of \$4,440.50.

RECAPITULATION.

Salaries of 14 janitors.....	\$8,700
Salaries of 4 clerks to committees.....	7,087
Salaries of 4 assistant clerks to committees.....	7,087
Salary, messenger to Committee on Judiciary.....	660
Salary, page, press gallery.....	515
Payments on account of deceased employees.....	1,310
Salary, attendant ladies' reception room.....	500
Total.....	25,859
Less amount of clerk hire reverting to Treasury.....	4,000
Net total.....	21,859

During the reading of the above,

Mr. CLARK of Missouri. Mr. Speaker, I rise to a parliamentary inquiry. Is this thing that is being read now a privileged report?

The SPEAKER. The Chair has not been paying very close attention to the reading, but presumably it is.

Mr. CLARK of Missouri. If it is not, I desire to object and end it right now.

Mr. CASSEL. It is a privileged report, Mr. Speaker; it carries an appropriation.

Mr. CLARK of Missouri. I serve notice on the gentleman, Mr. Speaker, that he may as well withdraw it, for if he does not I shall fight it, roll call and all.

The SPEAKER. The Clerk will proceed.

The Clerk concluded the reading of the report.

Mr. CASSEL. Now, Mr. Speaker, I desire to say that the Committee on Accounts has prepared this resolution and report with a very great deal of care; that we have had before us the various resolutions which have been introduced into the House and after careful consideration have prepared the report; that we have had prepared a detailed statement of all of these appointments, and I now ask that this report of the committee be printed in the RECORD so that each Member of the House can have a full copy of it in the morning, and that the matter be left open for further discussion at that time.

The SPEAKER. The gentleman asks that the report accompanying the resolution be printed in the RECORD. Is there objection?

Mr. CLARK of Missouri. That is all right. I did not propose to have any such resolution as that come up at this time.

Mr. PAYNE. The gentleman asks that the matter go over to be called up again?

Mr. CASSEL. Yes; as unfinished business or as a privileged resolution.

There was no objection.

FRENCH SPOILATION CLAIMS.

The SPEAKER. The Chair lays before the House a request coming from the Committee on Claims and also the Committee on War Claims, taking from the Committee on Claims certain Executive documents touching findings of the Court of Claims in the matter of the French spoliation claims, and asking that the reference be changed from the Committee on Claims to the Committee on War Claims. The effect of this, if done, would be to change the jurisdiction of the respective committees as that jurisdiction has been heretofore exercised. If the change should be made, about which the Chair does not intimate any opinion as to the propriety thereof, the Chair will feel justified in the future, if not incidentally authorized when similar communications come, to refer the same to the Committee on War Claims instead of to the Committee on Claims. With the explanation given, is there objection to the request?

Mr. GARRETT. Mr. Speaker, may I ask who it is that presents this request?

The SPEAKER. It comes with the indorsement of the gentleman from Kansas [Mr. MILLER], the chairman of the Committee on Claims.

Mr. FINLEY. Mr. Speaker, I would like to have some explanation giving the reason for this. Some of us know that the jurisdiction of these various committees is a matter of very great moment sometimes, and I would like to have some explanation of the necessity for it.

The SPEAKER. The gentleman from Kansas not being present, with the permission of the House the matter will go over until another day.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted as follows:

To Mr. SMITH of Maryland to withdraw from the files of the House, without leaving copies, the papers in the case of Charles Chaille Long, Fifty-eighth Congress, no adverse report having been made thereon.

To Mr. CALDERHEAD to withdraw from the files of the House, without leaving copies, the papers in the case of Eliza M. Burke, Fifty-eighth Congress, no adverse report having been made thereon.

To Mr. MOON of Tennessee to withdraw from the files of the

House, without leaving copies, the papers in the case of Asa Faulkner, O. B. Spurlock, and others, Forty-ninth Congress, no adverse report having been made thereon.

BILLINGS LAND DISTRICT.

Mr. DIXON of Montana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8994) to provide for a land district in Yellowstone, Carbon, and Rosebud counties, in the State of Montana, to be known as the "Billings land district," which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That all that portion of the State of Montana included within the present boundaries of Yellowstone and Carbon counties and all that portion of the ceded and unceded part of the Crow Indian Reservation lying within the limits of Rosebud County, is hereby constituted a new land district, and that the land office for said district shall be located at Billings, in said Yellowstone County.

With the following committee amendment:

In line 7, after the word "county," insert the following: "west of the Big Horn River."

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. As I understand it, the general law provides for the arrangement of land districts by the President of the United States.

Mr. SMITH of Kentucky. Mr. Speaker, I desire to reserve the right to object before any discussion is had.

Mr. PAYNE. I have reserved the right to object.

Mr. SMITH of Kentucky. I did not hear the gentleman.

Mr. PAYNE. I understand the President has full authority to create a land district or change a land district. Why the necessity of this special act?

Mr. DIXON of Montana. The President does not have the right to create a new land district. He does have the right when the business of old districts has become very small to consolidate old districts or move the land office. In this case the Crow Reservation is to be opened this coming August, and the Department has asked that this land office be created at Billings right at the head of the Crow Indian Reservation.

Mr. PAYNE. And it is shown there is a necessity for this office?

Mr. DIXON of Montana. Absolutely. There is a report from the Commissioner of the General Land Office, and it is unanimously reported by the Committee on Public Lands.

Mr. PAYNE. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, I did not hear the colloquy which ensued between the gentleman from New York and the gentleman from Montana. Still reserving the right to object, I want to know the necessity for this piece of legislation.

Mr. DIXON of Montana. As I have just explained, the great Crow Indian Reservation is to be opened this coming August under the act passed two years ago. At the present time there is no land office within a hundred and fifty miles on one side of the reservation and probably a hundred and thirty or a hundred and forty on the other. This is the creation of a new land office asked for by the Department and unanimously reported by the Committee on Public Lands to establish a new land office on the edge of the Crow Indian Reservation soon to be opened for settlement.

Mr. SMITH of Kentucky. How many acres are there in the Crow Reservation?

Mr. DIXON of Montana. About 1,300,000.

Mr. SMITH of Kentucky. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading, was read the third time, and passed.

On motion of Mr. DIXON of Montana, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2159. An act authorizing the Jasper and Eastern Railway Company, its successors and assigns, to construct and operate a railroad bridge across the Sabine River, in the States of Texas and Louisiana; and

S. 321. An act to provide for the extension of time within which homestead settlers may establish their residence upon certain lands which were heretofore a part of the Uinta Indian Reservation, within the counties of Uinta and Wasatch, in the State of Utah.

LEAVE OF ABSENCE.

Mr. ANDRUS, by unanimous consent, was granted leave of absence for three days on account of death in the family.

Mr. LITTAUER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned to meet on Wednesday, January 24, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for enlarging the Army Building at New York City—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for pay of the Army—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for a heating, power, and light plant for the new custom-house building at San Francisco—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for post exchange and amusement hall, general hospital, Presidio, San Francisco, Cal.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of deficiency appropriation for pay of Military Academy—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting an estimate of appropriation for completion of revenue steamer for Albemarle and Pimlico sounds, North Carolina—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for Mountain Branch, National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Red River of the North from Fargo to the international boundary line—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11543) to correct the military record of Benjamin F. Graham, reported the same with amendment, accompanied by a report (No. 497); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11976) for the relief of the Compañía de los Ferrocarriles de Puerto Rico, reported the same without amendment, accompanied by a report (No. 500); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11108) for the relief of Benjamin F. King, reported the same without amendment, accompanied by a report (No. 501); which said bill and report were referred to the Private Calendar.

Mr. KENNEDY of Nebraska, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1863) for the relief of M. A. McCafferty, reported the same without amendment, accompanied by a report (No. 502); which said bill and report were referred to the Private Calendar.

Mr. SPIGHT, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8952) for the relief of the trustees of Weir's Chapel, Tippah County, Miss., reported the same without amendment, accompanied by a report (No. 503); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which

was referred the bill of the House (H. R. 5217) for the relief of Agnes W. Hills and Sarah J. Hills, reported the same with amendment, accompanied by a report (No. 504); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3997) for the relief of John A. Meroney, reported the same with amendment, accompanied by a report (No. 505); which said bill and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House H. R. 2299, reported in lieu thereof a resolution (H. Res. 161) referring to the Court of Claims the papers in the case of W. M. Justice, of Hunt County, Tex., accompanied by a report (No. 506); which said resolution and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House H. R. 8838, reported in lieu thereof a resolution (H. Res. 162) referring to the Court of Claims the papers in the case of Joseph Loudermilk, of Monroe County, W. Va., accompanied by a report (No. 507); which said resolution and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1272, reported in lieu thereof a resolution (H. Res. 163) referring to the Court of Claims the papers in the case of the representatives of the estate of Reuben Dawkins, deceased, accompanied by a report (No. 508); which said resolution and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House H. R. 2302, reported in lieu thereof a resolution (H. Res. 164) referring to the Court of Claims the papers in the case of the legal representatives of Jonathan Holmes, deceased, accompanied by a report (No. 509); which said resolution and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on War Claims, to which was referred the bill of the House H. R. 6938, reported in lieu thereof a resolution (H. Res. 165) referring to the Court of Claims the papers in the case of Mrs. R. D. Smith, accompanied by a report (No. 510); which said resolution and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House H. R. 12436, reported in lieu thereof a resolution (H. Res. 166) referring to the Court of Claims the papers in the case of the legal representatives of William A. Crawford, deceased, accompanied by a report (No. 511); which said resolution and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House H. R. 2301, reported in lieu thereof a resolution (H. Res. 167) referring to the Court of Claims the papers in the case of the legal representatives of Dr. Thomas B. Waters, deceased, accompanied by a report (No. 512); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 2303, reported in lieu thereof a resolution (H. Res. 168) referring to the Court of Claims the papers in the case of estate of J. V. McDaniel, accompanied by a report (No. 513); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 12408, reported in lieu thereof a resolution (H. Res. 169) referring to the Court of Claims the papers in the case of the estate of John Holleman, accompanied by a report (No. 514); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 6978, reported in lieu thereof a resolution (H. Res. 170) referring to the Court of Claims the papers in the case of Robert Tillson & Co., a partnership company of Robert Tillson and Maitland Boon, accompanied by a report (No. 515); which said resolution and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on War Claims, to which was referred the bill of the House H. R. 4330, reported in lieu thereof a resolution (H. Res. 171) referring to the Court of Claims the papers in the case of Felix Weeden, accompanied by a report (No. 516); which said resolution and report were referred to the Private Calendar.

Mr. KENNEDY of Nebraska, from the Committee on War Claims, to which was referred the bill of the House H. R. 10729, reported in lieu thereof a resolution (H. Res. 172) referring to the Court of Claims the papers in the case of estate of John North, deceased, accompanied by a report (No. 517); which

said resolution and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1278, reported in lieu thereof a resolution (H. Res. 173) referring to the Court of Claims the papers in the case of A. J. Smith, accompanied by a report (No. 518); which said resolution and report were referred to the Private Calendar.

Mr. KENNEDY of Nebraska, from the Committee on War Claims, to which was referred the bill of the House H. R. 11055, reported in lieu thereof a resolution (H. Res. 174) referring to the Court of Claims the papers in the case of Miller Smith, accompanied by a report (No. 519); which said resolution and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1271, reported in lieu thereof a resolution (H. Res. 175) referring to the Court of Claims the papers in the case of Mary F. Casey Tucker, accompanied by a report (No. 520); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 1270, reported in lieu thereof a resolution (H. Res. 176) referring to the Court of Claims the papers in the case of the heirs of T. L. Scott, deceased, accompanied by a report (No. 521); which said resolution and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House H. R. 4034, reported in lieu thereof a resolution (H. Res. 177) referring to the Court of Claims the papers in the case of A. G. Hawkins, administrator of estate of George H. Prince, accompanied by a report (No. 522); which said resolution and report were referred to the Private Calendar.

Mr. KENNEDY of Nebraska, from the Committee on War Claims, to which was referred the bill of the House H. R. 4238, reported in lieu thereof a resolution (H. Res. 178) referring to the Court of Claims the papers in the case of Jane Lemaster, accompanied by a report (No. 523); which said resolution and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the House H. R. 6230, reported in lieu thereof a resolution (H. Res. 179) referring to the Court of Claims the papers in the case of the heirs of Robert B. Love, deceased, accompanied by a report (No. 524); which said resolution and report were referred to the Private Calendar.

Mr. SPIGHT, from the Committee on War Claims, to which was referred the bill of the House H. R. 7989, reported in lieu thereof a resolution (H. Res. 180) referring to the Court of Claims the papers in the case of J. J. Miller, of De Soto County, Miss., accompanied by a report (No. 525); which said resolution and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. KENNEDY of Nebraska, from the Committee on War Claims, to which was referred the bill of the House (H. R. 548) to reimburse A. J. Kaufman, Girard, Erie County, Pa., in the sum of \$300, together with interest thereon from October 16, 1862, for soldier furnished United States, being the amount paid by him to one Charles Morton, as a substitute, reported the same adversely, accompanied by a report (No. 498); which said bill and report were ordered laid on the table.

Mr. FULKERSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3343) for the relief of Daniel W. Boutwell, reported the same adversely, accompanied by a report (No. 499); which said bill and report were ordered laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 12844) to amend the Code of Law for the District of Columbia, relating to incorporations—to the Committee on the District of Columbia.

By Mr. MILLER: A bill (H. R. 12845) to consolidate the city of South McAlester and the town of McAlester, in the Indian Territory—to the Committee on Indian Affairs.

By Mr. ROBERTS: A bill (H. R. 12846) to reorganize and increase the efficiency of the Hospital Corps of the Navy of the United States and to define its duties and regulate its pay—to the Committee on Naval Affairs.

By Mr. NORRIS: A bill (H. R. 12847) for the erection of a public building at Grand Island, Nebr.—to the Committee on Public Buildings and Grounds.

By Mr. FLACK: A bill (H. R. 12848) for the establishment of a support of entry at Massena, N. Y.—to the Committee on Ways and Means.

By Mr. BENNETT of Kentucky: A bill (H. R. 12849) for the construction of a lock and dam in the Ohio River, below mouth of the Big Sandy River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12850) providing for construction of an ice pier at Russell, Ky.—to the Committee on Rivers and Harbors.

By Mr. SMITH of Iowa: A bill (H. R. 12851) to provide for the enlargement of the court-house and post-office building at Council Bluffs, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 12852) providing for the erection of a public building at South McAlester, Ind. T.—to the Committee on Public Buildings and Grounds.

By Mr. SHARTEL: A bill (H. R. 12853) for the erection of a public building at Aurora, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. BENNETT of Kentucky: A bill (H. R. 12854) for the construction of two ice piers at Ashland, Ky.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12855) to establish a fish-hatching or fish-culture station in Greenup, Lewis, or Carter County, Ky.—to the Committee on the Merchant Marine and Fisheries.

By Mr. KINKAID: A bill (H. R. 12856) to authorize the sale of isolated tracts of the public domain containing less than 320 acres—to the Committee on the Public Lands.

By Mr. ANDREWS: A bill (H. R. 12857) to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds—to the Committee on the Territories.

Also, a bill (H. R. 12858) permitting the county of Taos, in the Territory of New Mexico, to refund its indebtedness at a lower rate of interest—to the Committee on the Territories.

By Mr. SPARKMAN: A bill (H. R. 12859) increasing the pensions of those now receiving or entitled to pensions under the acts of Congress approved July 27, 1892, and June 27, 1902—to the Committee on Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 12860) to establish a uniform rule of naturalization in the United States—to the Committee on Immigration and Naturalization.

By Mr. POLLARD: A bill (H. R. 12861) to require all corporations engaged in interstate commerce to secure license from the General Government, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. BURGESS: A bill (H. R. 12862) to appropriate \$50,000 to build a post-office building at Gonzales, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12863) to create a new division of the southern judicial district of Texas and to provide terms of court at Victoria, and for other purposes—to the Committee on the Judiciary.

By Mr. HULL: A bill (H. R. 12864) to provide for the purchase of certain coal lands in the Philippine Islands, and to authorize the lease of the same and the Batan Military Reservation, for the purpose of securing a local coal supply to the United States Government in the Philippine Islands—to the Committee on Insular Affairs.

By Mr. SPARKMAN: A bill (H. R. 12865) in relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes, and to amend and revive the same—to the Committee on War Claims.

Also, a bill (H. R. 12866) to authorize the establishment of a fish-cultural and biological station on the Gulf of Mexico within the limits of the State of Florida—to the Committee on the Merchant Marine and Fisheries.

By Mr. WEEKS: A bill (H. R. 12867) to define and punish hazing at the United States Naval Academy, Annapolis, Md.—to the Committee on Naval Affairs.

By Mr. FASSETT: A bill (H. R. 12868) defining natural, pure, artificial, and carbonated wines; for preventing adulteration, misbranding, and imitation of wines; for imposing a tax upon and regulating the sale of artificial wines; for regulating interstate traffic and foreign trade therein, and for other purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 12869) to revise and amend the United States Statutes relating to the commitment of United States prisoners to reformatories of States or Territories—to the Committee on the Judiciary.

By Mr. CLARK of Missouri: A bill (H. R. 12870) appropriat-

ing money for continuing certain primary schools in the Indian Territory—to the Committee on Indian Affairs.

By Mr. VAN WINKLE: A bill (H. R. 12871) to bridge the Newark Bay—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: A bill (H. R. 12872) to amend an act entitled "An act to amend and codify the laws relating to municipal corporations in the district of Alaska," approved April 28, 1904—to the Committee on the Territories.

Also, a bill (H. R. 12873) to amend an act entitled "An act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district"—to the Committee on the Territories.

By Mr. HASKINS, from the Committee on War Claims: A resolution (H. Res. 161) referring to the Court of Claims H. R. 2299—to the Private Calendar.

By Mr. HAUGEN, from the Committee on War Claims: A resolution (H. Res. 162) referring to the Court of Claims H. R. 8838—to the Private Calendar.

By Mr. CLAYTON, from the Committee on War Claims: A resolution (H. Res. 163) referring to the Court of Claims H. R. 1272—to the Private Calendar.

By Mr. HASKINS, from the Committee on War Claims: A resolution (H. Res. 164) referring to the Court of Claims H. R. 2302—to the Private Calendar.

By Mr. CLAYTON, from the Committee on War Claims: A resolution (H. Res. 165) referring to the Court of Claims H. R. 6938—to the Private Calendar.

By Mr. SIMS, from the Committee on War Claims: A resolution (H. Res. 166) referring to the Court of Claims H. R. 12436—to the Private Calendar.

By Mr. HASKINS, from the Committee on War Claims: A resolution (H. Res. 167) referring to the Court of Claims H. R. 2301—to the Private Calendar.

Also, from the same committee: A resolution (H. Res. 168) referring to the Court of Claims H. R. 2303—to the Private Calendar.

Also, from the same committee: A resolution (H. Res. 169) referring to the Court of Claims H. R. 12408—to the Private Calendar.

Also, from the same committee: A resolution (H. Res. 170) referring to the Court of Claims H. R. 6978—to the Private Calendar.

By Mr. CLAYTON, from the Committee on War Claims: A resolution (H. Res. 171) referring to the Court of Claims H. R. 4330—to the Private Calendar.

By Mr. KENNEDY of Nebraska, from the Committee on War Claims: A resolution (H. Res. 172) referring to the Court of Claims H. R. 10929—to the Private Calendar.

By Mr. CLAYTON, from the Committee on War Claims: A resolution (H. Res. 173) referring to the Court of Claims H. R. 1278—to the Private Calendar.

By Mr. KENNEDY of Nebraska, from the Committee on War Claims: A resolution (H. Res. 174) referring to the Court of Claims H. R. 11055—to the Private Calendar.

By Mr. CLAYTON, from the Committee on War Claims: A resolution (H. Res. 175) referring to the Court of Claims H. R. 1271—to the Private Calendar.

Also, from the same committee: A resolution (H. Res. 176) referring to the Court of Claims H. R. 1270—to the Private Calendar.

By Mr. SIMS, from the Committee on War Claims: A resolution (H. Res. 177) referring to the Court of Claims H. R. 4034—to the Private Calendar.

By Mr. KENNEDY of Nebraska, from the Committee on War Claims: A resolution (H. Res. 178) referring to the Court of Claims H. R. 4238—to the Private Calendar.

By Mr. OTJEN, from the Committee on War Claims: A resolution (H. Res. 179) referring to the Court of Claims H. R. 6230—to the Private Calendar.

By Mr. SPIGHT, from the Committee on War Claims: A resolution (H. Res. 180) referring to the Court of Claims H. R. 7989—to the Private Calendar.

By Mr. HAMILTON: A resolution (H. Res. 181) providing for the consideration of the bill H. R. 12707—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTHOLODT: A bill (H. R. 12874) granting a pension to Ellen Dickens—to the Committee on Invalid Pensions.

By Mr. BENNETT of Kentucky: A bill (H. R. 12875) granting a pension to Martin Dixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12876) granting a pension to Nannie M. Burnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12877) granting a pension to Andrew Cooksey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12878) granting an increase of pension to Louisa January—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 12879) granting an increase of pension to Catherine Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12880) granting an increase of pension to Lorenzo D. Mason—to the Committee on Invalid Pensions.

By Mr. CHANEY: A bill (H. R. 12881) to pay Thomas P. Morgan amount found due to him by Court of Claims—to the Committee on Claims.

By Mr. CLARK of Missouri (by request): A bill (H. R. 12882) restoring John R. Owen to the pension roll—to the Committee on Pensions.

By Mr. DAWSON: A bill (H. R. 12883) granting an increase of pension to Benjamin Owen—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 12884) granting a pension to Lucinda Gain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12885) granting an increase of pension to John D. McFadden—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 12886) to remove the charge of desertion from the military record of (John) Jefferson Wilson—to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 12887) granting a pension to Mary Van Dyck—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 12888) granting an increase of pension to Jacob Sannar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12889) granting an increase of pension to James E. Jones—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12890) granting a pension to Martha F. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12891) granting a pension to Martha F. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12892) granting an honorable discharge to Seth Davis—to the Committee on Military Affairs.

By Mr. GILLESPIE: A bill (H. R. 12893) for the relief of A. J. Bryson—to the Committee on War Claims.

By Mr. GLASS: A bill (H. R. 12894) for the relief of Edward S. Brown—to the Committee on Claims.

By Mr. HALE: A bill (H. R. 12895) granting a pension to John Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12896) granting an increase of pension to John N. Fagan—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 12897) granting an increase of pension to Robert B. Malone—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 12898) to refund legacy taxes illegally collected from the estate of Jane E. Osgood—to the Committee on Claims.

By Mr. HUBBARD: A bill (H. R. 12899) granting an increase of pension to George W. Johns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12900) granting an increase of pension to James D. Havens—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 12901) granting an increase of pension to Milton T. Dougherty—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 12902) for the relief of Frank W. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12903) granting an increase of pension to Daniel T. Ferrier—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 12904) to incorporate the American Institute for Drug Proving—to the Committee on the District of Columbia.

By Mr. McCLEARY of Minnesota: A bill (H. R. 12905) granting an increase of pension to Albert Steinhäuser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12906) for the relief of Albert Steinhäuser—to the Committee on War Claims.

By Mr. MCKINLAY of California: A bill (H. R. 12907) authorizing and directing the Secretary of War to grant an honorable discharge to John McDermott—to the Committee on Military Affairs.

Also, a bill (H. R. 12908) granting an increase of pension to Lewis R. Anthony—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12909) authorizing and directing the Secretary of War to grant an honorable discharge to Benjamin Franklin Littlejohn—to the Committee on Military Affairs.

Also, a bill (H. R. 12910) authorizing the appointment of Henry G. Burton, a captain on the retired list of the Army, as a major on the retired list of the Army—to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 12911) granting an increase of pension to A. S. Delaware—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12912) granting a pension to James E. Howard—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 12913) granting a pension to John G. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12914) granting a pension to Sarah Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12915) granting a pension to Betsey A. Crumley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12916) granting a pension to Julia A. Dugan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12917) granting a pension to Con. Frawley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12918) granting a pension to Reuben Vermillion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12919) granting a pension to Alban E. Bentley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12920) granting a pension to Catherine M. Trusty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12921) granting a pension to Samuel Whitsett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12922) granting a pension to George W. Towse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12923) granting an increase of pension to Levi Maule—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12924) granting an increase of pension to John R. McMasters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12925) granting an increase of pension to Benjamin R. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12926) granting an increase of pension to T. M. Laughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12927) granting an increase of pension to William Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12928) granting an increase of pension to Daniel Reasoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12929) granting an increase of pension to Washington Siria—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12930) granting an increase of pension to Moses H. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12931) granting an increase of pension to H. D. Craft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12932) granting an increase of pension to John H. Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12933) granting an increase of pension to Henry C. Cavender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12934) granting an increase of pension to William Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12935) removing the charge of desertion from the military record of Samuel D. Richardson—to the Committee on Military Affairs.

Also, a bill (H. R. 12936) removing the disabilities from the military record of Newman Tennison, and granting him an honorable discharge—to the Committee on Military Affairs.

By Mr. PALMER: A bill (H. R. 12937) granting an increase of pension to James Hoover—to the Committee on Invalid Pensions.

By Mr. RIVES (by request): A bill (H. R. 12938) granting an increase of pension to William F. Dallas—to the Committee on Invalid Pensions.

By Mr. SCROGGY: A bill (H. R. 12939) for the relief of Asher E. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 12940) granting a pension to James McClelland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12941) granting a pension to Attie Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12942) granting a pension to Samuel Paxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12943) granting a pension to Sarah D. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12944) granting a pension to Rosa Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12945) granting an increase of pension to Joshua Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12946) granting an increase of pension to William Mull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12947) granting an increase of pension to Silas Woodmansee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12948) granting an increase of pension to Frederick Bierley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12949) to correct the military record of Andrew M. Dunn—to the Committee on Military Affairs.

Also, a bill (H. R. 12950) to remove the charge of desertion from the record of Joseph F. Ford—to the Committee on Military Affairs.

Also, a bill (H. R. 12951) to refer to the Court of Claims the claim of Bernard Quinn for compensation for the loss of dwelling houses, fencing, stable, and other property in Dalton, Ga., by order of General Sherman—to the Committee on War Claims.

By Mr. SMITH of California: A bill (H. R. 12952) to correct the military record of John H. Moody—to the Committee on Military Affairs.

By Mr. SMITH of Maryland: A bill (H. R. 12953) for the relief of Pay Inspector Worthington Goldsborough, United States Navy—to the Committee on Naval Affairs.

By Mr. SMITH of Iowa: A bill (H. R. 12954) granting an increase of pension to William R. Keep—to the Committee on Pensions.

By Mr. SMYSER: A bill (H. R. 12955) granting a pension to Lyman Critchfield, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12956) granting an increase of pension to Joseph Brindley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12957) granting an increase of pension to Rebecca B. Eason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12958) granting an increase of pension to William P. Schott—to the Committee on Invalid Pensions.

By Mr. TOWNE: A bill (H. R. 12959) granting an increase of pension to James W. Brockway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12960) granting a pension to William F. Hewitt—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 12961) for the relief of Henry Hayden, John Kennedy, Wright H. Calkins, and James E. Barrett—to the Committee on Claims.

By Mr. TYNDALL: A bill (H. R. 12962) granting a pension to Anton Gockel—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 12963) for the relief of William Lanahan & Son, of Baltimore, Md.—to the Committee on Ways and Means.

Also, a bill (H. R. 12964) granting a pension to Thomas Rolle—to the Committee on Pensions.

Also, a bill (H. R. 12965) for the relief of the heirs of Henry Leef, deceased—to the Committee on Claims.

By Mr. WOOD of New Jersey: A bill (H. R. 12966) granting a pension to Lydia Van Marter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12967) granting a pension to Mary Ann Le Bars—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 12968) granting an increase of pension to William H. Jordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12969) granting an increase of pension to Alexander Buck—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 12970) granting a pension to Drucilla Beekman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12971) granting an increase of pension to Matthew H. Brandon—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 10862) granting a pension to Mary E. McCracken—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8169) granting an increase of pension to Eliza C. Jones—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2942) for the relief of the heirs of John Smith, deceased—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 10546) referring to the Court of Claims for adjudication and determination the claims of the widow and family of Marcus P. Norton and the heirs at law of others—Committee on Patents discharged, and referred to the Committee on Claims.

A bill (H. R. 12723) for the relief of the estate of Marcus

Walker, deceased—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 12735) for the relief of Green Edmondson—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Master Grange, No. 853, of Pennsylvania, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. ALEXANDER: Petition of Buffalo Lodge, No. 187, Brotherhood of Railway Trainmen, of Buffalo, N. Y., favoring bills H. R. 239 and 9328 and S. 1657—to the Committee on Interstate and Foreign Commerce.

Also, petition of T. D. Welch Division, No. 641, Brotherhood of Locomotive Engineers, of Hornellsville, N. Y., favoring bills H. R. 239 and 9328 and S. 1657—to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS: Petition of the Republican central committee of Bernalillo County, N. Mex., urging passage of the joint statehood bill—to the Committee on the Territories.

By Mr. BATES: Petition of Order of Railway Conductors, Division No. 32, of Meadville, Pa., favoring bills H. R. 239 and 9328—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Protective Association, of Titusville, Pa., opposing a parcels-post law—to the Committee on the Post-Offices and Post-Roads.

By Mr. BRICK: Petition of the Woman's Home Missionary Society of Goshen, Ind., against liquor selling in any Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BURLEIGH: Paper to accompany bill for relief of David Davis—to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: Paper to accompany bill for relief of John R. Owen—to the Committee on Pensions.

By Mr. COUSINS: Petition of George W. Bettesworth, who respectfully avers that he has discovered the site of the Ancient Open Temple, where the Bible was written, from whence its learning was disseminated over the world; asks that its area, about two sections, be purchased and held as a public park in appreciative honor of the event; that as the legend of the North American Indian contains the highest exemplification of the arts and sciences of the Bible, a suitable school be erected thereon, where the learned men of the Indian tribes can meet and restore to us their secrets of those arts and sciences—to the Committee on Education.

By Mr. DALE: Paper to accompany bill for relief of Charles H. Shippey—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of Archus M. Tompkins—to the Committee on Pensions.

By Mr. DOVENER: Petition of Union Council, No. 70, of Dallas, W. Va., Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. DRESSER: Petitions of Washington Camp, No. 372, Patriotic Order Sons of America, and citizens of Woodland, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Gray Chemical Company and the Keeler Chemical Company, against bill H. R. 7079—to the Committee on Ways and Means.

By Mr. DWIGHT: Petition of the Brandt Chemical Company, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Bartonville Grange, No. 589, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. ESCH: Petition of the Western Fruit Jobbers' Association, to give the Interstate Commerce Commission power over railway rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of State Horticultural Society of Arkansas, relative to rebates on car lines—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill for relief of Mary Van Dyck—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of the Union League Club of New York, for reduction of duties on works of art—to the Committee on Ways and Means.

Also, petition of the Society of Medical Jurisprudence of New York, for reorganization of the Medical Department of the Army—to the Committee on Military Affairs.

By Mr. FLETCHER: Petition of the National Guard Association, for increasing efficiency of State militia—to the Committee on Militia.

Also, petition of the Southwestern Medical Society, relative to medical efficiency of the United States Army—to the Committee on Military Affairs.

By Mr. FLOOD: Paper to accompany bill for relief of Mrs. Bettie Glick—to the Committee on War Claims.

Also, paper to accompany bill for relief of Martin Kline—to the Committee on War Claims.

By Mr. FOWLER: Petitions of Councils Nos. 4 and 5, and Overlook Council, No. 211, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. FULLER: Petition of citizens of Alaska, concerning legislation for the Territory—to the Committee on the Post-Office and Post-Roads.

Also, petition of the American Mining Congress, for a National Department of Mines and Mining—to the Committee on Mines and Mining.

By Mr. GARRETT: Petition of citizens of Tennessee, for relief of the duty on hides—to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of the City Parks' Association of Philadelphia, for preservation of Niagara Falls—to the Committee on Foreign Affairs.

Also, petition of J. Walter Hay, against legislation unfavorable to live stock in transit—to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Association of Cement Users, relative to structural materials—to the Committee on Public Buildings and Grounds.

Also, petition of the Western Fruit Jobbers' Association, relative to private car lines—to the Committee on Interstate and Foreign Commerce.

By Mr. GRANGER: Petition of the Society of Chemical Industry of Boston, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of West Kingston (R. I.) Grange, No. 10, Patrons of Husbandry, for bill H. R. 345—to the Committee on Agriculture.

Also, petitions of the First Methodist Episcopal Church of Woonsocket, the Methodist Episcopal Church of Middletown, the First Baptist Church of Block Island, the Woman's Christian Temperance Unions of Block Island, Middletown, Carolina, and Providence, all in Rhode Island, for prohibition in Indian Territory and Oklahoma as States—to the Committee on the Territories.

By Mr. KNOWLAND: Petition of Riverside Chamber of Commerce, California, for improvement of Yosemite Valley—to the Committee on the Public Lands.

Also, petition of the board of trustees of the Chamber of Commerce of San Francisco, for liberal legislation relative to the better classes of the Chinese coming to the United States—to the Committee on Immigration and Naturalization.

By Mr. LACEY: Petition of Paper Hangers' Union of Oskaloosa, Iowa, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. LESTER: Paper to accompany bill for relief of Mary M. Blackwell—to the Committee on War Claims.

By Mr. LOUDENSLAGER: Petition of J. C. Strittmatter, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. MAHON: Paper to accompany bill for relief of John H. Sothoron's heirs—to the Committee on War Claims.

By Mr. MANN: Paper to accompany bill for relief of A. S. Delaware—to the Committee on Invalid Pensions.

By Mr. OTJEN: Petition of A. D. Bamyer and 100 others, relative to the statehood bill, etc.—to the Committee on the Territories.

By Mr. OVERSTREET: Paper to accompany bill for relief of William J. Drake—to the Committee on Invalid Pensions.

By Mr. PADGETT: Paper to accompany bill for relief of Maria Lester—to the Committee on War Claims.

Also, paper to accompany bill for relief of Thomas Dunn—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Robert P. Call—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of James B. Chaffin—to the Committee on War Claims.

Also, paper to accompany bill for relief of James T. Reagan—to the Committee on War Claims.

By Mr. PATTERSON: Petition of Washington Camp, No. 112, Patriotic Order Sons of America, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. PRINCE: Petition of James Moore and others, against repeal of the canteen law—to the Committee on Military Affairs.

By Mr. RIVES: Paper to accompany bill for relief of William F. Dallas—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Petition of Paul G. Mehlen & Sons, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the American Mining Congress, for Government aid for State school of mines—to the Committee on Mines and Mining.

Also, petition of the American Mining Congress, for a Department of Mines and Mining—to the Committee on Mines and Mining.

Also, petition of the American Mining Congress, for a law regulating working of mines—to the Committee on Mines and Mining.

Also, petition of the Western Fruit Jobbers' Association, for a law repealing private car line companies—to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Piano Manufacturers' Association of America, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the Association for the Protection of Commerce, of New York, for an appropriation to deepen Coney Island channel—to the Committee on Rivers and Harbors.

Also, petition of Edward G. Janeway et al., for a pure-food law—to the Committee on Agriculture.

Also, petition of the Society of Medical Jurisprudence, for reform of the Medical Department of the Army—to the Committee on Military Affairs.

Also, petition of the Union League Club of New York, for repeal of duty on art works—to the Committee on Ways and Means.

Also, petition of the Commercial Law League of America, for reform in the consular service—to the Committee on Foreign Affairs.

By Mr. RYAN: Petition of the Western Fruit Jobbers' Association, for increased power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of Commercial Law League of America, for reform in the consular service—to the Committee on Foreign Affairs.

By Mr. SCROGGY: Petition of citizens of Mount Carmel, Ohio, and Xenia Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of 10 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, paper to accompany bill for relief of Bernard Quinn—to the Committee on War Claims.

Also, paper to accompany bill for relief of William Mull—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: Paper to accompany bill for relief of Mary Christopher, heir of Lowell G. Spaulding—to the Committee on War Claims.

By Mr. SHERMAN: Paper to accompany bill for relief of O. De Witt—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: Petition of citizens of Bridgewater, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. SMITH of Maryland: Petitions of Bozman Council, of Bozman; Ashbury Council, of Lawsonia; Harmony Council, of Cecilton; Parrieville Council, of Habnab, and South Mountain Council, of Boonsboro, all in Maryland, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SOUTHWICK: Petition of the Woman's Christian Temperance Union of Schenectady, N. Y., against sale of liquor in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEENERSON: Petition of J. J. Koare et al., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Western Fruit Jobbers' Association, for legislation in control of railway traffic—to the Committee on Interstate and Foreign Commerce.

By Mr. WADSWORTH: Petition of Byron Grange, No. 375, Patrons of Husbandry, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. WANGER: Petition of Grange No. 2, Patrons of Husbandry, of Upper Providence, Pa., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Council No. 240, Order United American

Mechanics, of Pottstown, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Local Union No. 658, of the Brotherhood of Painters, Decorators, and Paper Hangers, of Bryn Mawr, Pa., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. WEBB: Petition of the Wesleyan Methodist Church Conference, at High Point, N. C., relative to the evils of polygamy—to the Committee on the Judiciary.

Also, petition of Virgin Spring Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODYARD: Petition of Center Point Council, No. 139, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, January 24, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Journal of yesterday's proceedings was read and approved.

LIST OF JUDGMENTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims, amounting to \$19,963.19, etc.; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

TRAVELING EXPENSES OF MIDSHIPMEN.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, for inclusion in the urgent deficiency appropriation bill, an estimate of appropriation to pay the amounts found due by the Auditor for the Navy Department for traveling expenses of midshipmen from their homes to the Naval Academy in June, 1905, etc., \$6,478.57; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House has passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

H. R. 8994. An act to provide for a land district in Yellowstone, Carbon, and Rosebud counties, in the State of Montana, to be known as the "Billings land district;" and

H. J. Res. 87. Joint resolution to authorize use of transport *Sumner* to convey members of Santiago Battlefield Commission and others to Cuba and return.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 321. An act to provide for the extension of time within which homestead settlers may establish their residence upon certain lands which were heretofore a part of the Uinta Indian Reservation, within the counties of Uinta and Wasatch, in the State of Utah; and

S. 2159. An act authorizing the Jasper and Eastern Railway Company, its successors and assigns, to construct and operate a railroad bridge across the Sabine River, in the States of Texas and Louisiana.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the petition of Eleanor G. Swan and 52 other citizens of Independence, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a memorial of the congregation of the Calvary Methodist Episcopal Church, of Hinsdale, N. H., remonstrating against the repeal of the present anticanteen law, and also praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Military Affairs.

He also presented the petition of E. C. Lewis, of Boston, Mass., praying for the adoption of an amendment to the present pension law, increasing pensions for partial deafness; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Washington, D. C., praying for the enactment of legislation to regulate child